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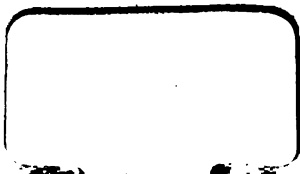


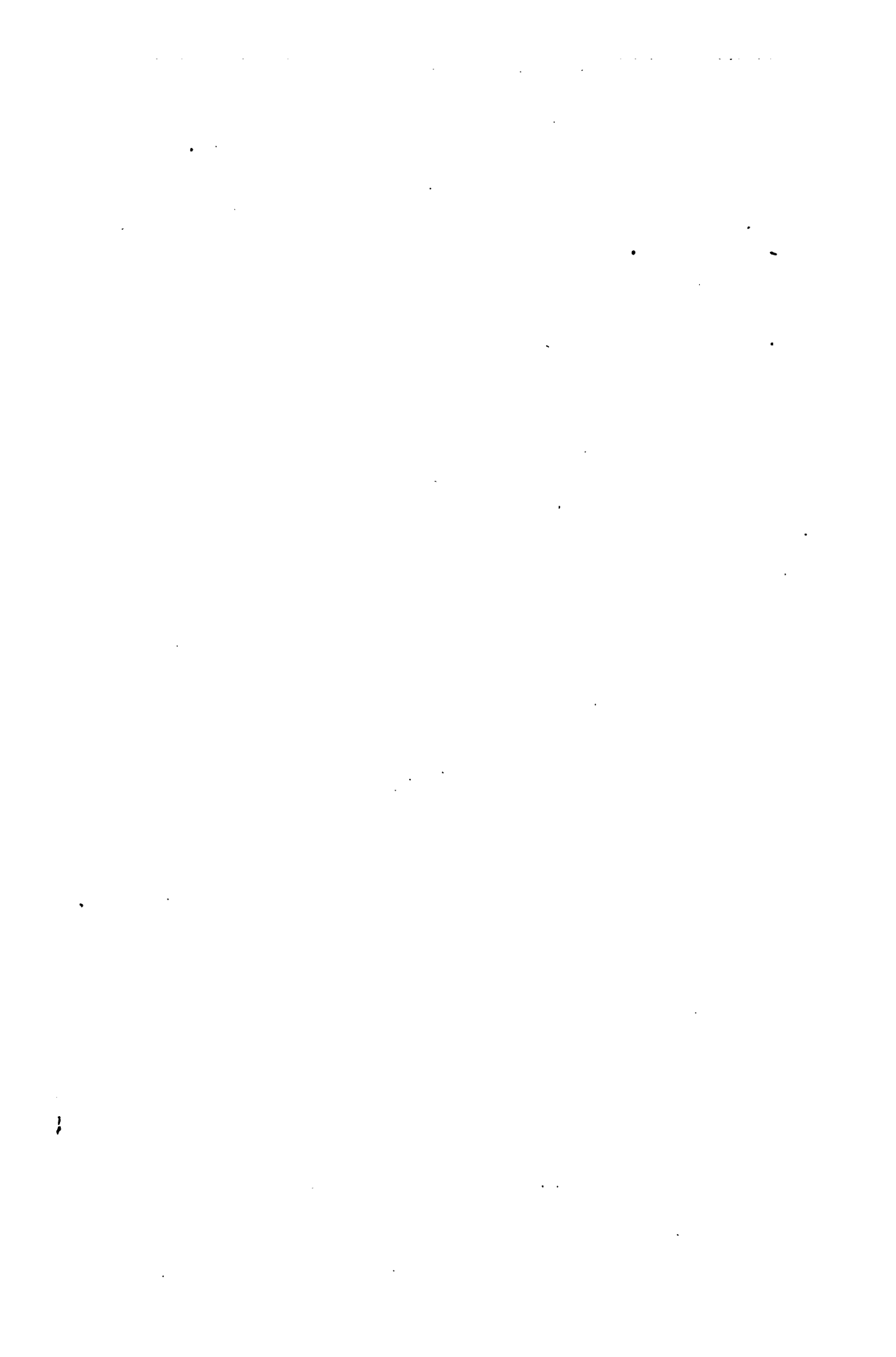
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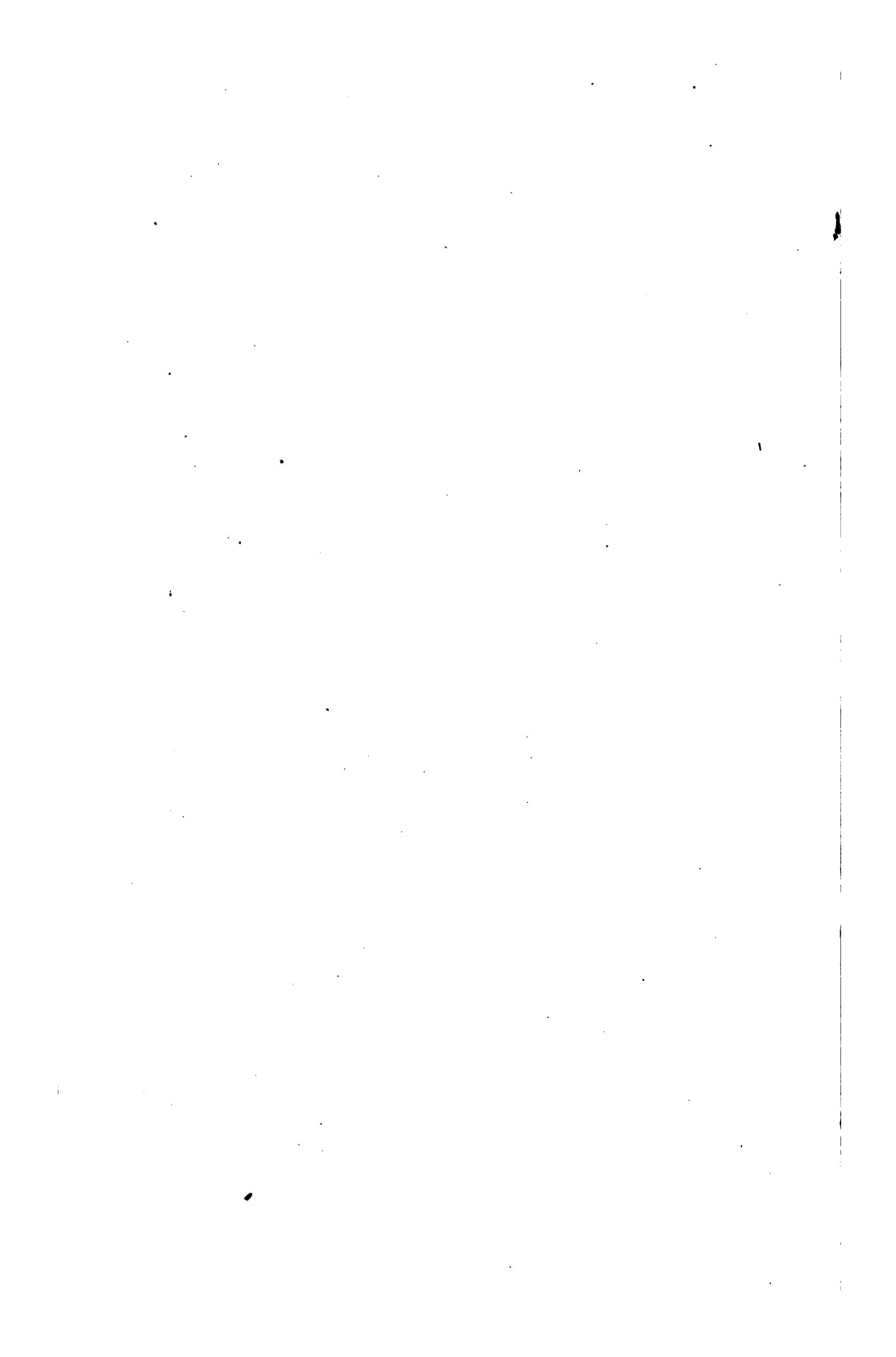
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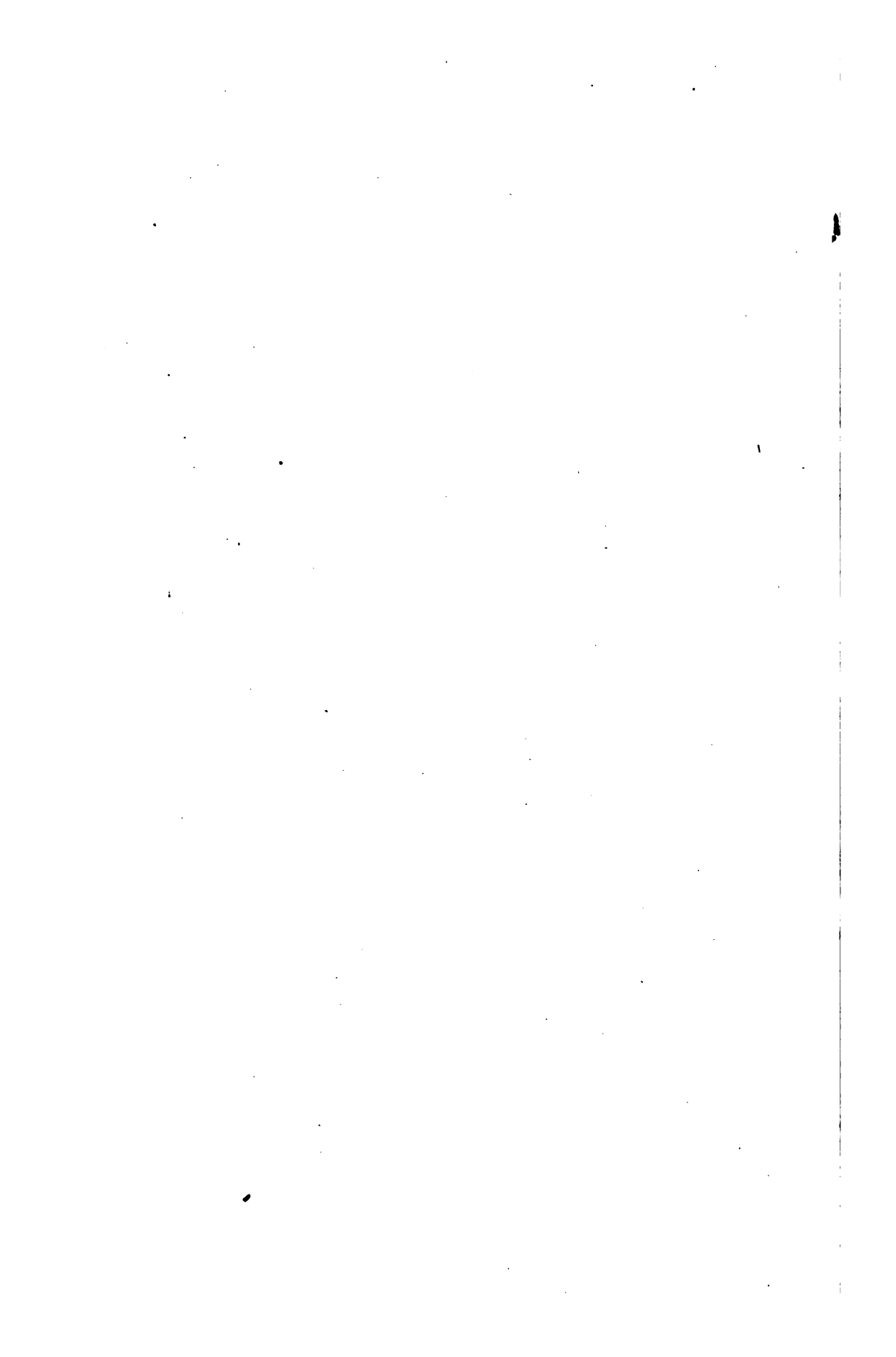
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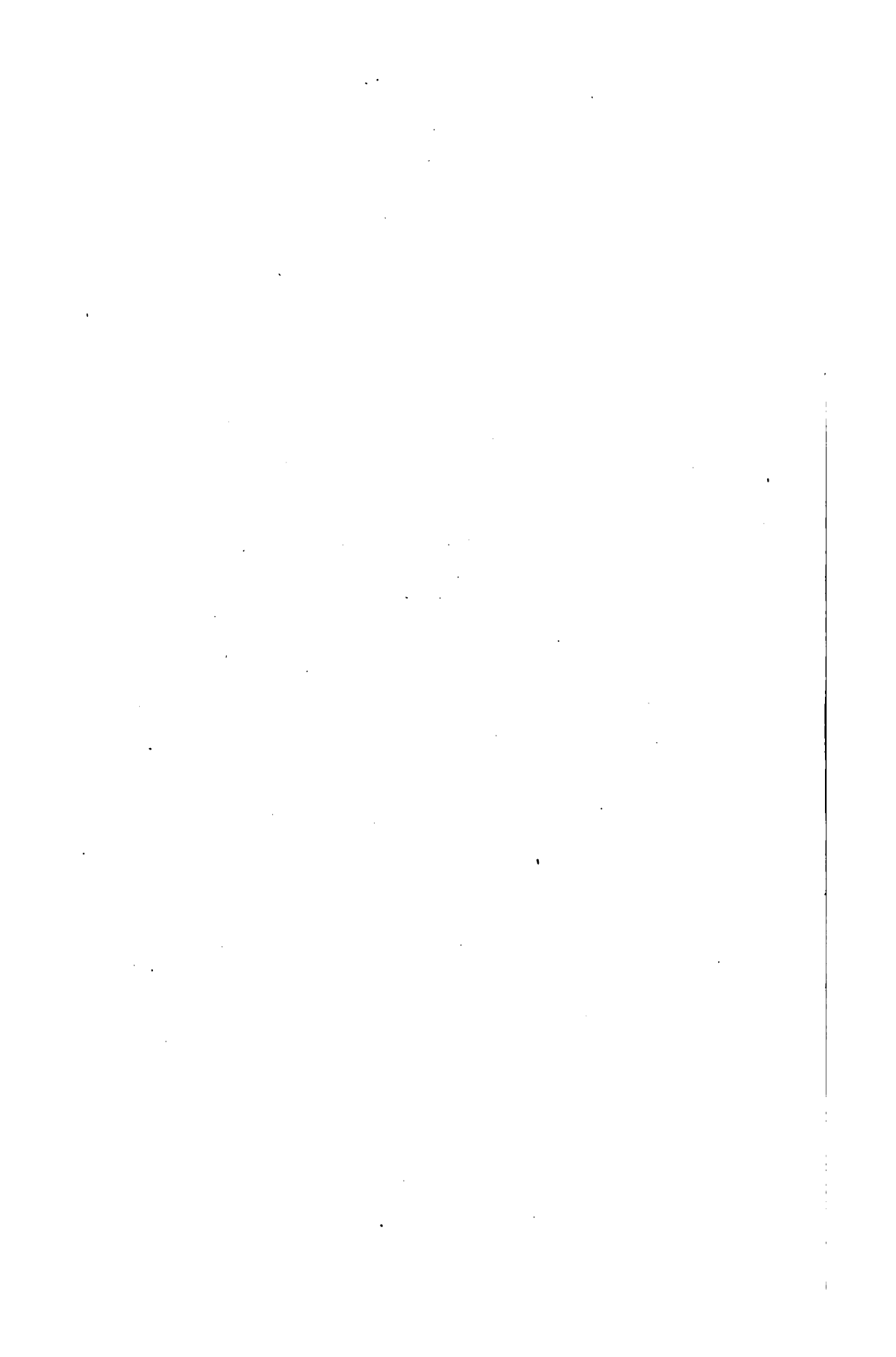
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COMMITTEE ON THE JUDICIARY

U.S. HOUSE OF REPRESENTATIVES

SIXTIETH CONGRESS

ARGUMENT

OF

MR. SAMUEL GOMPERS

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JOHN J. JENKINS, WISCONSIN, *Chairman*
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DE ALVA S. ALEXANDER, NEW YORK
CHARLES E. LITTLEFIELD, MAINE
CHARLES Q. TIRRELL, MASSACHUSETTS
JOHN A. STERLING, ILLINOIS
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AMERICAN FEDERATION OF LABOR,
Washington, D. C., February 14, 1908.

HON. JOHN J. JENKINS,
*Chairman Judiciary Committee,
House of Representatives, Washington, D. C.*

DEAR SIR: The clerk of your committee this morning informed me that an order was made by the committee that on Monday, February 24, at 10.30 o'clock, time will be given me to address myself to the questions of injunctions and of all labor bills.

I stated to him that no one was authorized by the American Federation of Labor or its representatives to make a request for hearings on behalf of labor upon the bill regulating or restricting the issuance of injunctions, but that after I had learned of the order of the committee that Mr. Spelling was to be heard in favor of anti-injunction bills, and "all other labor bills," and that thereafter Mr. Davenport and others would be heard in opposition, I asked for an opportunity to be heard before the committee.

I desire to state my position clearly that, in my judgment, the Judiciary Committee in previous Congresses have heard fully arguments on bills restricting the issuance of injunctions, and that these printed arguments are at the disposal of any new member of the Judiciary Committee; that there is therefore no necessity for further arguments upon this subject, pro or con, before the committee, and that hearings for the purpose of argument would tend to prolong the hearings so that the committee will not be in a position to make a report to this session of Congress. In other words, that the opposition to the just bill which labor urges is pursuing the policy of hearings for the purpose of procrastination, to avoid legislative relief.

I am free to say that if the committee will consider the question involved upon the hearings and arguments already had, I shall not ask you to be heard on the 24th, or at any other time during this session upon this bill. If, however, hearings and arguments in opposition are to be heard, of course I shall avail myself of the time set by the committee.

There are other bills upon other measures of interest to labor, and upon which, if necessary, I would feel it incumbent upon me to submit some views.

After the conclusion of the conversation over the telephone with the clerk of your committee, he again called me up, stating that he had conversed with Mr. Littlefield, of your committee, and he suggested that I write the committee upon the situation, and it is for this reason I address this letter to you.

Very respectfully, yours,

SAML. GOMPERS,
President American Federation of Labor.

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Monday, February 24, 1908.

The committee met at 10.30 o'clock a. m., Hon. John J. Jenkins (chairman) in the chair.

The CHAIRMAN. Mr. Gompers, the time is yours.

STATEMENT OF MR. SAMUEL GOMPERS.

Mr. GOMPERS. Mr. Chairman and gentlemen, in spite of the fact that I knew several days in advance that I would have the privilege of addressing the committee this morning, yet, owing to the fact that I have been more than ordinarily busy in the affairs of the labor organizations and particularly due to recent events, I come before you almost entirely unprepared to make anything like a formal argument, and I do not know that an argument from a layman to the Judiciary Committee can have much weight. Realizing that fact, it was my idea, shared by my colleagues and associates, at least, that it might prove of greater advantage not to ask the committee to hear any argument on the bills which have been introduced to correct the abuses, to limit and restrict the injunctions which have been issued so notoriously within the past few years. The theory upon which our bill, the Pearre bill, is based, and the arguments in support of it, both from the standpoint of a legal argument and from the layman's view, is presented and the needs of the times are presented and are in print, and it is our opinion that with all the information at the command of the Judiciary Committee it might as well have been submitted to the committee's judgment and action without further argument. Mr. Fuller is not here at this hearing. I should have liked to have made an explanation as to a certain event which transpired here at a previous meeting when this same subject was under consideration. I asked to be heard for a while in order that I might make some explanation, and then found it inexpedient to make the explanation.

We were willing, so far as those who had a right to speak for labor were concerned, that the committee might act upon the bills without any further argument upon the part of labor. We realized, too, what Mr. Fuller suggested, that the policy of those who for any reason opposed this legislation would be delay, procrastination, delay, and thus accomplish their own purpose, relieving the committee of the responsibility of making some sort of a report.

Mr. DAVENPORT. May I ask Mr. Gompers a question?

The CHAIRMAN. It would not be best to interrupt now, Mr. Davenport.

Mr. DAVENPORT. What I wanted to do was——

The CHAIRMAN. Mr. Gompers, do you care to be interrupted now?

Mr. GOMPERS. It does not matter much. I have no objection.

Mr. DAVENPORT. At the last hearing Mr. Spelling promised to produce a list of the cases, of the instances, in which injunctions had been improperly issued. The chairman said:

I think the committee would be glad, when you complete your remarks, if you would be kind enough to specify the cases where instances of abuses have arisen, and point out the features upon which you rely. That is, give us a list of the cases where injunctions have been improvidently or unlawfully issued and the particular features of the particular injunctions that have been oppressive and, in your judgment, beyond the scope of the jurisdiction of the court.

I wanted to ask Mr. Gompers if he had any such list or if he could specify to the committee cases in which that had been done, in order that we might have opportunity to examine the cases and see whether or not they were correct in the character which they imputed to them. No such list was furnished by Mr. Spelling.

Mr. SPELLING. No list was promised.

Mr. GOMPERS. You can see the relevancy of the interruption to what I was saying. I am told that there is a habit among one or two Members of Congress to get up and interrupt a speaker, no matter for what cause, so that in every speech that is in the Congressional Record his name may appear.

Mr. DAVENPORT. In regard to that, the gentleman began with a statement of the existence of these abuses.

The CHAIRMAN. You will have to remain quiet, Mr. Davenport, if you want to remain in the room, unless Mr. Gompers wants to be interrupted.

Mr. GOMPERS. I was willing to yield for anything that was pertinent to what I was saying, not for a matter entirely extraneous to the matter I was addressing myself to. At any rate, what I wanted to say, first, was that we were willing that the committee should take action upon the matter without regard to any further argument on our part or the part of opponents.

Addressing myself for a moment to the question propounded by Mr. Davenport, I want to present a few cases which perhaps may be as interesting now as any in which the courts have issued injunctions. I hold in my hand a copy of resolution No. 81 of the Senate, the first session of the Sixtieth Congress, being a resolution submitted by Senator Culberson on January 23, 1908. The resolution contains a copy of an injunction issued by Judge Dayton in the Federal circuit court of West Virginia. The reason that I can not submit the original of which this is a copy is because I furnished the original for this resolution. This injunction alleges nowhere even any unlawful conduct, or even the fear; not one thing enjoined but what every man has a perfect lawful right to do. And one of the worst causes of complaint alleged in the application for the injunction is that repeated efforts have been made by the parties named, including the officers and organizers of the United Miners of America, that they were trying to organize the miners of the district.

Mr. DAVENPORT. Would you permit one inquiry in that connection? It is alleged in that complaint that the members, the employees, of the company had contracted not to join another union, or a union, and these people were endeavoring to induce those men to break their contracts, and the injunction was issued to restrain them from inducing those men to break the contract. Is it your contention that that is not

a proper exercise of the power of a court of equity, to prevent men from combining and conspiring together to induce others to break their contracts?

Mr. GOMPERS. I do not know——

The CHAIRMAN. If you do not want to be interrupted, Mr. Gompers, you say so. As long as you yield, the committee can not control it, but this hour was set aside to hear Mr. Gompers, and the time is with him. While you are interrupted I will say that Mr. Fuller is here, if it makes any difference with you.

Mr. GOMPERS. I have already made the statement, and I will tell him privately. I do not wish to burden the record unnecessarily.

These men, these employees, are brought over to this country, many of them ignorant of existing conditions here, made to feel apparently a sense of security by having a contract, a contract at a wage lower than prevails in any other part of the United States, in any other mining district in the United States, under conditions worse than in any other mining section of our country, and these contracts are so sacred, these contracts to perform service are so sacred that they can not be interfered with, and that an injunction may lie in order to prevent that interference. I have a copy of the trades union dispute act, or the trades dispute act, passed by the Parliament of Great Britain about a year and a half ago or less. I will try to furnish the committee with a copy of the law. I have it with me among the numerous papers I have here. That point is especially covered by the trades dispute act, that an agreement for personal service shall not form a bar to men exercising their rights, by which they can be prevented or enjoined. In truth, since the enactment of the trades dispute act of December, 1906, by the British Parliament, no trades union or trade organization can be proceeded against as such, nor its officers as such, and in monarchical England they enacted a law which for a quarter of a century was regarded as the practice: and I am asked this morning before the Judiciary Committee of the House of Representatives whether I believe that a contract should be maintained or not, and by inference regardless of what that contract may be, and particularly, too, when the contract is for personal service. I have a number of injunctions which have been issued by the Federal courts which, after making a proper selection, I shall be willing to submit to the consideration of the chairman or any other member of the committee or members of the committee that you may designate to determine which might or might not be made a part of the record of the hearings of this committee.

Mr. LITTLEFIELD. I think Mr. Gompers ought to be allowed to put in everything he wants to put in.

Mr. GOMPERS. I do not want to burden the record, particularly with anything that may later be deemed as of too little importance.

Mr. LITTLEFIELD. Why, if he wishes, should he not put in the injunctions in full and the references to the cases?

Mr. EMERY. Will Mr. Gompers permit a question? I simply ask it for my information.

Mr. GOMPERS. What is the gentleman's name?

Mr. EMERY. Mr. Emery.

Mr. GOMPERS. Pardon me; it is my ignorance.

Mr. EMERY. I want to ask you whether the injunctions you submit here, and of which you are speaking, are injunctions issued since your

last hearing before the Judiciary Committee or are injunctions to which you have already referred?

Mr. GOMPERS. I would not include any to which I have already referred at a former hearing.

Mr. LITTLEFIELD. I think it would be well to have them all in, because that would save looking back to old documents. We will put them all in, in concise and concrete shape, so that we will have them all in one document.

Mr. GOMPERS. Might it not be well that some of these injunctions to which attention has been called from time to time, and those which have been issued of more recent date, together with, say, two or three or half a dozen of the decisions of the Supreme Court of the United States, should be made a public document? If that were done I think a great public service would be accomplished, in order that all might understand, and more clearly understand, the situation in which we are all placed.

Mr. ALEXANDER. I suggest that you submit for the consideration of the committee such a document. I think your idea is a good one, if it does not go too far and does not make too much printing, to have the decisions and the injunctions all in one volume.

Mr. LITTLEFIELD. Have it prepared in your own way and submit a manuscript which will cover the ground of your suggestion.

Mr. GOMPERS. Mr. Chairman and gentlemen, I can think of no argument that has not heretofore been made in support of the position which we take in regard to the injunction; its abuse, the fact that it is issued in no other cases than in cases where there has arisen some dispute in some form or other between employers and employees; the right in law, the injustice of it all, that has been presented, and no amount of argument or oratory will make an additional contribution to that subject. The needs are greater to-day than at any previous time. No new argument can be submitted, no additional fact other than the injunction. Let me call attention to one of the injunctions issued by Justice Dayton some six or eight months ago. A dispute arose between the Bell Telephone Company and its wire men. As I understand it, the dispute arose from the fact that in several of the districts the district officers of the company had discriminated against men because of their membership in a labor organization and discharged them for that reason, and for that reason only. A dispute arose and the men went out, out of sympathy for their fellows who had been victimized. A strike was on; an injunction was prayed for and obtained.

I shall not attempt to burden you either with the reading of the terms of the injunction, although they would be extremely interesting, but it forbade almost anything within reason. The strike went on until one day there was a wire man, a strike-breaker, who climbed one of the poles for the purpose of repairing or adjusting a wire, and the pole was near the house of a union man. This man and his wife had not any children, so far as I know, but they had a dog, and the dog came out, and there was no evident cause other than what I read testified to, that the dog was attracted by the sheen and brightness of the steel clasps on this strike-breaking wire man's shoes, and the dog barked at the man as he ascended the pole. The woman, the wife of the union man, the owner of the dog, came out, and, addressing the dog, not the wire man, said, calling him by name, "Get away

from here, and don't you bark at that scab," or "Don't you bark at that black sheep;" I think that was the term used. The husband came out and spoke to her, and finally went into their home. These are the facts testified to not on behalf of the defendants, but on behalf of the complaint that the injunction was violated, and Judge Dayton, sitting in court, sentenced the husband and the wife to sixty days' imprisonment for contempt of his injunction order. The remarks of Judge Dayton at the time of imposing sentence were also exceedingly interesting. Substantially, he said that there was no such thing as a peaceful strike; that the very nature of the association was justification for him to infer that what they had in mind to do was an unlawful act. However, as I said a moment ago, there is little to add in form of argument, or in the form of a presentation of facts, except that as time goes on the injunctions further and further and further invade the natural constitutional rights of the working men and women of our country.

But there are a few other matters to which I want to address myself as briefly as I can; that is, to the matters not only of injunction, but also of other laws which it is essential should receive the attention of this committee and of Congress.

The CHAIRMAN. I suppose that injunction was granted on a bill, was it not?

Mr. GOMPERS. Yes, sir.

The CHAIRMAN. Were there any other papers beside the bill?

Mr. GOMPERS. Any other papers?

The CHAIRMAN. Yes; any other papers?

Mr. GOMPERS. I do not know whether there were any other legal papers in connection with that bill. I had a number of newspaper accounts of the hearing and of the trial.

The CHAIRMAN. I wish you would include the bill and all the papers upon which the injunction issued.

Mr. PARKER. Why is not the information sufficient?

The CHAIRMAN. It would not be sufficient for my purpose.

Mr. LITTLEFIELD. The bill is not included in the Senate document, is it?

Mr. HENRY. Yes; the bill is in there.

Mr. LITTLEFIELD. If the bill is in there, it is sufficient.

Mr. HENRY. That is in there. That is the one that Senator Culberson introduced.

Mr. GOMPERS. It is the case of the Hitchman Coal and Coke Company, plaintiff, *v.* John Mitchell et al., defendants.

Mr. HENRY. It is all printed in there.

Mr. GOMPERS. Yes; it is all printed in Senate Resolution No. 81, but the case of the Bell Telephone Company to which I just referred is not.

Mr. EMERY. Can you give us the date of the Bell Telephone Company case?

Mr. GOMPERS. I have not got it right here.

Mr. EMERY. It is prior to the Hitchman Coal Company case, is it not?

Mr. GOMPERS. I could not tell you.

Mr. EMERY. Can you tell me whether the contempt proceeding to which you allude is recent? Can you give me the date?

Mr. GOMPERS. It was about last August or September, I think.

Mr. EMERY. That is the contempt proceeding?

Mr. GOMPERS. Yes, sir.

Mr. EMERY. Thank you.

Mr. HENRY. Are you asking for the report of any particular bill or bills here this morning? I came in a little late, and I did not hear you mention any.

Mr. GOMPERS. I referred to the Pearre bill; yes, sir. I ought to say this in connection with the subject of the bills before this committee: Events have demonstrated clearly to my mind that there is only one bill before the committee that can at all be effective to deal with this abuse, with this invasion of human rights, and that is the Pearre bill. The others I do not know that it is necessary for me to argue even. The best of the other bills are ineffective, and so far as the representatives of the American Federation of Labor are authorized to speak at all for the men and women in the labor movement of the country to whom I have referred, we say to you now that they would rather suffer the wrongs that they do, hoping and praying and working for a time when effective justice will be accorded us, than to consent to a wrong principle which would effectually and for a great length of time manacle the workman and prevent any sort of tangible relief.

Mr. FULLER. Mr. Chairman, with the permission of the committee and Mr. Gompers, I would like to ask a question while he is right on that point.

The CHAIRMAN. If Mr. Gompers is willing.

Mr. FULLER. I want to ask Mr. Gompers if we are to understand that his position in regard to these bills is that the American Federation of Labor or that he as their representative is opposed to the passage of any of the bills now pending before this committee except the Pearre bill?

Mr. GOMPERS. May I adopt the tactics of the Yankee and ask Mr. Fuller a question? Am I to understand from Mr. Fuller's question that he is opposed to the passage of any bill before this committee, including the American Federation of Labor bill, known as the "Pearre bill," unless it is the bill that has been introduced at the request of Mr. Fuller?

Mr. CLAYTON. The employers' liability bill?

Mr. GOMPERS. No, sir; the injunction bill.

Mr. FULLER. With Mr. Gompers I always speak frankly and am never backward about expressing my opinion, and when I appeared before this committee I endeavored to make the position of the organization I represent perfectly clear as to the bill they want, and I simply asked that question of Mr. Gompers because I wanted to have his position in regard to it, and I assure him that when it comes my turn I will answer very frankly his questions.

Mr. GOMPERS. I will say this, that I think I will try to make my position clear that the American Federation of Labor has so declared itself that it must insist upon the principles involved in the Pearre bill, and that I explained, as best I could, the position of labor—that we would rather be compelled to bear the wrongs which we have for a longer period than to give our assent to the establishment of a wrong principle, believing and knowing that time would give the justice and relief to which labor—the working people—are entitled.

Mr. HENRY. What is the number of the Pearre bill?

Mr. EMERY. It is H. R. 94.

Mr. HENRY. Introduced at this session again?

Mr. GOMPERS. Yes, sir.

Mr. HENRY. Now, you referred to some bill introduced at Mr. Fuller's suggestion. Do you remember the name of it?

Mr. FULLER. That was the Rodenberg bill, H. R. 17137. Mr. Chairman, I do not want to intrude or break the rules; I only want to do what the committee and Mr. Gompers think is proper, and I do not want to ask any questions that are improper, or to ask them at an improper time. I understood Mr. Gompers to say that they wanted effective legislation. I understand that thoroughly. Now, I simply wanted to know whether or not he thought that all of the rest of the bills except the Pearre bill were along the wrong line, and if they were for the Pearre bill as against all the rest, or rather whether they opposed the passage of any bill except the Pearre bill. That is a question I would like to have answered.

Mr. GOMPERS. Mr. Chairman, in any species of legislation that is intended to be helpful, of a constructive character, to bring amelioration into conditions of the workers, compromise is possible. You can not get a whole loaf, and therefore wisdom dictates that something shall be accepted. Time will give the opportunity to build upon it and construct this species of legislation that shall be generally helpful. In this measure, in this feature of legislation, no such construction can take place. If labor concedes that the court has the right to enter and to issue injunctions that are never issued of the same character against any other citizen or man in the community, then, if we concede that, we must forever hold our peace, for we have given away our case. The Pearre bill is intended to bring the injunctive process to where it was before it was applied and abused in its application in labor disputes. I do not know—I do not think that Mr. Fuller desires to place me in an embarrassing position; I do not think that he does; but I can just, in my mind's eye, see the attorneys for our friends the enemy washing their hands with the invisible soap and the imperceptible water, finding that Mr. Fuller and myself are in apparent opposition upon the very relief which we seek. Mr. Fuller knows—I think he does, I would not want to attribute to him an improper thought, much less an improper action, but I am fully persuaded that he knows—that the bill introduced at his request, or at the request of the gentlemen that he represents, is not an effective bill and does not bring back to labor the rights which have been denied to labor.

Mr. FULLER. Which bill do you refer to?

Mr. GOMPERS. I refer to the bills that have been introduced in the last Congress and in this Congress.

Mr. FULLER. The Rodenberg bill is H. R. 17137. I will just state that that was introduced by Mr. Rodenberg at our request.

Mr. GOMPERS. Will Mr. Fuller do me the kindness to tell me what is the principle upon which this bill is based?

Mr. FULLER. Yes. Mr. Chairman, may I do that?

The CHAIRMAN. Yes.

Mr. FULLER. In substance the first two sections are the old Hoar-Grosvenor bill, except that the Hoar-Grosvenor bill made it innocent for two or more to do those things which are not a crime for one to do, where this bill makes it, instead of a crime, actionable. This bill

makes it legal and lawful for two to do what it is not actionable for one to do.

The third section of the bill is a reenactment of the old judiciary act, or that part of it which stood for seventy years, and which requires notice in all cases, not limited to trade disputes, before an injunction shall be issued.

The next section is word for word the contempt bill which passed in 1896.

Mr. GOMPERS. That is the Hill bill?

Mr. FULLER. Yes, sir; with the exception of one sentence, which permits the defendant to be admitted to bail pending the final outcome of the case. That is the bill that is indorsed by the organization I represent.

Mr. HENRY. Sections 3 and 4 are practically the same as have been introduced by me at three or four sessions of Congress.

Mr. STERLING. May I have consent to ask of Mr. Fuller about his bill?

The CHAIRMAN. This time belongs to Mr. Gompers. If he is willing, you may.

Mr. GOMPERS. I am perfectly willing.

Mr. STERLING. I will ask Mr. Fuller if his bill is not limited to the District and to the Territories and to those engaged in interstate commerce?

Mr. FULLER. It is in substance; the first section is—

Mr. STERLING. I would like to have an answer to my question. I know what the bill is.

Mr. FULLER. I am trying to answer. The first section applies to trade disputes in those jurisdictions mentioned by the gentleman. The second is not so confined; it is general in application.

Section 3 reads:

SEC. 3. That no restraining order or injunction shall be granted by any court created by Congress, or any judge or judges of such court, in any case, without reasonable previous notice to the adverse party, or his attorney, of the time and place of moving for the same.

The next section which refers to contempts of court is general in character; it is not limited to trade disputes. The only parts of the bill that are limited to trade disputes and to the Territories and to the District of Columbia and to interstate commerce are the first two sections.

Mr. STERLING. Relating to conspiracy?

Mr. FULLER. Yes; and also preventing the court from enjoining those things that are made innocent. The first two sections are the same as the old Hoar-Grosvenor bill, except that it is divided into two sections, whereas the other was in one.

Mr. STERLING. That is, it is limited as you state?

Mr. FULLER. Yes.

Mr. STERLING. The part you say is of general application is limited to notice—applies to notice and contempts?

Mr. FULLER. Yes.

Mr. EMERY. Does not your bill provide that no act is lawful if done by two persons if criminal when done by one person?

Mr. FULLER. No, sir; it does nothing of the kind. It says no act shall be criminal when done by more than one person unless it is actionable for one to do it.

Mr. EMERY. Actionable; yes.

Mr. FULLER. Yes; you have got it reversed.

Mr. EMERY. It says:

That no agreement, combination, or contract by or between two or more persons to do or procure to be done, or not to do or procure not to be done, any act in contemplation or furtherance of any labor dispute between employers and employees in the District of Columbia or in any Territory of the United States, * * * shall be deemed criminal, * * * if such act committed by one person would not be actionable.

Mr. FULLER. I understood you to refer to that. You said actionable for two persons and criminal for one person.

Mr. EMERY. No.

Mr. FULLER. The bill, so far as that is concerned, speaks for itself.

Mr. GOMPERS. I think I am going to send out the gentleman's speeches under the frank of some Congressman.

Mr. EMERY. I beg your pardon; I did not intend to take up so much time.

Mr. HENRY. One more question: If you are holding out tenaciously for the Pearre bill, the President does not recommend the measure that you desire and will be satisfied with, in his recent messages—both the general one and the special message that he sent in the other day?

Mr. GOMPERS. I think that the President of the United States is in sincere sympathy with the—

Mr. HENRY. I am not questioning that. The question is whether he goes as far as you want?

Mr. GOMPERS. I would like to finish that. I would not like anything improper to appear upon the record.

Mr. HENRY. Yes; certainly.

Mr. GOMPERS. I have every confidence that the President sympathizes with the working people, with all our people, and particularly his sympathy is for those who are made sufferers by conditions and environments which exist, and that his desire is to see that justice is done to everybody, and that his recommendations are intended to be to accord justice to labor. I have every reason to believe that the President is not fully informed of the real cause of complaint, or rather the real remedy for the cause of complaint.

Mr. HENRY. Of course I do not wish to press the question any further, but we have both read his messages, and we know that they do not go near as far as the Pearre bill does. Now, I am not questioning that he is sincere about it; I believe he is. I believe he wants legislation. But I do not think he is going to get any legislation along these lines. I hope he will.

Mr. GOMPERS. I only know that in the matter of constructive legislation it can be done by piecemeal. In a matter of this character it can not. Now, I would prefer, so far as my personal feelings are concerned, that there shall be all the glee and all the glory in the camp of our opponents rather than to consent to the establishment of a wrong principle. We can not compromise with anything of that sort.

Mr. LITTLEFIELD. May I inquire, if in using that language you have reference to the same kind of legislation as was pending at the last Congress under the name of H. R. 9328, known as the Gilbert bill,

with reference to which Mr. Furuseth read a typewritten statement before the committee in which he said:

This bill, supposed to have had its origin in the White House, and drawn in the Bureau of Corporations, confers upon the courts sitting in equity absolute jurisdiction in all cases "involving or growing out of labor disputes." The judge is to give the defendant a hearing, but may, as in any other suits at law, proceed if the defendant shall fail to appear. We have complained that the use made of the equity process in labor disputes is usurpation of a sovereignty not granted to the courts. It seems to us that in this bill the grant is about to be made.

In the beginning, does that correctly represent your idea?

Mr. GOMPERS. I do not understand you.

Mr. LITTLEFIELD. Does this correctly express your idea?

Mr. GOMPERS. Substantially.

Mr. LITTLEFIELD. Yes.

Mr. GOMPERS. Now, may I go a little further?

Mr. LITTLEFIELD. Certainly.

Mr. GOMPERS. We contend that the injunction, the theory of it, is based upon the property rights when there is no other ample remedy at law, and that it does not, ought not to, and never was intended to apply to any question involving personal rights and personal liberty; that there is no property right in labor, either constitutional or statutory or lawful.

Mr. LITTLEFIELD. And your proposition is that bills which undertake indirectly to confer that jurisdiction go beyond the proper scope of the law?

Mr. GOMPERS. Yes.

Mr. LITTLEFIELD. And confer jurisdiction that at present does not inhere in the court?

Mr. GOMPERS. Yes.

Mr. LITTLEFIELD. And your labor organization is opposed to that kind of legislation?

Mr. GOMPERS. Yes.

Mr. LITTLEFIELD. Now, do I understand you to say that that typewritten statement read by Mr. Furuseth before the committee at the last Congress was authorized by the Federation of Labor?

Mr. GOMPERS. No, sir; it was his individual statement.

Mr. LITTLEFIELD. It was his?

Mr. GOMPERS. His work.

Mr. LITTLEFIELD. Did you hear him read that statement? Were you present at the hearing?

Mr. GOMPERS. Not all of it; no, sir.

Mr. LITTLEFIELD. But the quotation that I have read covers the view of your organization, does it?

Mr. GOMPERS. Yes, sir; the view you just now read I share. I do not know whether I divine what you have in mind, Mr. Littlefield, to question me. I should prefer that you would question me upon any matter in connection with the statement made by Mr. Furuseth. I think it might clear up a matter that you have in mind, and I have also.

Mr. LITTLEFIELD. I will ask you that right now.

Mr. GOMPERS. Yes.

MR. LITTLEFIELD. So as to give you an opportunity to make a statement in relation to it. In the same statement, the typewritten statement read by Mr. Furuseth at the last Congress, he used this language:

It is said that this bill has the indorsement of the President. That can not be. If he understands this bill and then gives to it his indorsement, he is an enemy to honest labor struggling under adverse conditions for a better life—nay, he would be an enemy to human liberty. We do not believe, will not believe it.

Do I understand that that is simply Mr. Furuseth's individual statement?

MR. GOMPERS. Yes, sir.

MR. LITTLEFIELD. And not concurred in by the organization or by yourself?

MR. GOMPERS. No, sir. But since you ask me that question, it was that very thing I had in mind when I sought to ask you to question me further upon Mr. Furuseth's statement. It was just that very thing I had in mind. You at one time charged me with being present and hearing that statement without one word of protest, and giving it by implication my approval. As a matter of fact, during Mr. Furuseth's reading of that paper I was called out in the lobby not less than a half a dozen times, and I think I was scheduled to speak immediately after Mr. Furuseth, and I think there was another gentleman who, because he had to leave, spoke between Mr. Furuseth and me, and it was necessary for me to be called into the committee room by one of my friends, who said that Mr. Furuseth had finished and that I might be called upon at any moment. I want to say that I never heard that part of the argument read, never knew of its existence until, oh, a week or ten days after. But that does not make very much difference. I think it was too strongly, and I should say improperly, made. The criticism even by indirection was not one that I would indorse or countenance, and you will observe that Mr. Furuseth says that he does not believe it. He does not believe that if the President understood all that was involved that he would still advocate the passage of that bill. I do not want unnecessarily to engage in polemics or controversy. I want to present a few other thoughts to this committee, because, as one of the resolutions adopted at an earlier meeting in regard to this species of legislation it was mentioned, not only the injunction bills, but all other labor bills, and I want to say a few words, if I may have the opportunity just at this time to say them.

MR. Chairman and gentlemen. I want to present for your consideration something more than a bill, something in which there is involved more than I can devise or suggest in a bill. The trend of the decisions of the courts has been in the direction that takes away from the workmen the opportunity of effective defense against encroachment or imposition of onerous conditions, and the climax was reached in so far as judicial decisions were concerned, when the Supreme Court of the United States handed down its decision in the case of *Loewe v. Lawlor*, the case of Loewe, hat manufacturer, against the hatters of North America. Under that decision it has made illegal combinations, conspiracies, combinations in restraint of trade, unlawful restraint of trade. I do not know, goaded on by the victorious enemies, what the courts will do or what executives will do, and I want to say to you here and now, just as solemnly as I can say it, that the organizations of labor of the United States have done so much to

protect the workman against injustice, have done so much to improve his home conditions, his surroundings, his family ties, have given him such a sense of security and independence, have instilled such character and manhood into him, that you can not drive out the organizations of labor. You can not afford to place the stigma of unlawfulness upon organizations which have done so much within the law to improve the conditions of the working people.

The most conservative of the organizations are declared to be organizations contemplated by the Sherman antitrust law, whereas, as a matter of fact, every man who now lives and is familiar with the legislation of the day knows that that was never intended, that the Sherman antitrust law was never intended to include and to apply to the organizations of labor. It was my good fortune at the time to have the respect and confidence of quite a number of men in public life. I had the respect and confidence of Senator Sherman, of Senator Henry W. Blair, of New Hampshire, of Senator George, of Mississippi, and of Senator Hoar, of Massachusetts, and of a number of other gentlemen, members of the Senate, and others, Members of the House; and it was my privilege to be in frequent conference with these gentlemen when this bill was in its formative state. A few men, among them myself, urged upon Senator George, of Mississippi, the adopting of an amendment that should by express terms exclude the organizations of labor from the operations of the Sherman antitrust bill. The assurance was given others and myself that the bill did not require it, that there was no intention to cover the organizations of labor, and that under no form of construction would it be held by the courts that the labor organizations were included in the operations of that bill if enacted into law. I still had my misgivings, and at the request of others, together with myself, Senator George drafted a provision, and it was taken up by Senator Sherman and proposed as an amendment, as a proviso, to the committee's bill, credit being given by Senator Sherman to Senator George for suggesting the proviso, and in that form Senator Stewart, of Nevada, expressed the opinion that now the bill in its perfected form should give satisfaction to all concerned.

Senator Edmunds was the Senator who opposed. But in spite of that fact he could not but hold that the organizations of labor were necessary. The Senate adopted an amendment to the bill, excluding the organizations of labor, the agricultural, and the horticultural organizations. The Senate amended the amendment only in one particular, and that is that the agricultural and horticultural organizations should not be proceeded against under the provisions of the law in holding their own product, the words "their own" having been an amendment which was adopted. However, the bill was recommitteed and the Judiciary Committee of the Senate brought out a reconstructed bill. The amendment adopted by the Senate in the Committee of the Whole was not included in the bill. I went and had conferences with a number of these Senators, and each of them assured me that it was never intended and that it was simply foolish for me to imagine that the labor organizations could be included, by any forced construction of the courts, to come under the operation of the bill. I was disarmed. I could do nothing. The labor organizations were not as strong, and some of them would go after false gods, and accept things as imaginary protection, when they were really

the traps set by their enemies for the enthrallment of labor. The bill as reported by the Judiciary Committee of the Senate practically passed the House in that form, or by agreement there was very little change, and it became a law. From the enactment of that law until 1900 labor had very many experiences with the courts, and our views were fully carried out. I remember that the House Judiciary Committee in that year proposed an amendment, an amended bill, a bill amendatory of the Sherman antitrust law. I know, too, that we asked a number of the members of this committee to accept an amendment to our bill excluding the labor organizations from the operations of the antitrust law. We were told by at least one gentleman, a member of the Judiciary Committee, that our fears were unfounded; that the amendment was unnecessary; that neither under the Sherman antitrust law, nor under the bill amendatory of that law by the committee, could the labor organizations be brought under its operation, and that we were simply building up a dummy man, a straw man, in order that he might be thrown down. However, you know that the House adopted the amendment which we suggested, and which was proposed on the law by Mr. Tyner.

If it were not for taking up so much of your time, I would like to proceed longer on this, but I realize that you gentlemen must attend to your other duties, and I will say this, Mr. Chairman and gentlemen, that I remember that a number of my colleagues and myself talking to Mr. Littlefield who was then, as now, a member of the Judiciary Committee, he pooh-poohed the idea that this amendment was necessary.

Mr. LITTLEFIELD. I beg your pardon, what is that statement?

Mr. GOMPERS. I say that you pooh-poohed the idea that an amendment of the character suggested by us was necessary.

Mr. LITTLEFIELD. I never took the ground that anybody was not subject to this antitrust act. I have always taken the other ground.

Mr. GOMPERS. My contention was to the effect that the law had said that it did not cover all—

Mr. LITTLEFIELD. And I answered that it covered all agreements entered into by everyone. You must be mistaken about that.

Mr. GOMPERS. If I am mistaken there were at least half a dozen other men at the same time who were just as much mistaken as I was.

Mr. LITTLEFIELD. They certainly labored under an error. I discussed it with Mr. Fuller more than anybody else, and I never assented to the proposition.

Mr. GOMPERS. This was long prior to Mr. Fuller's coming to Washington as representative of the railroad men.

Mr. LITTLEFIELD. However, that may be, if anybody has that impression, it is erroneous.

Mr. GOMPERS. As to what I have to say, regardless, now, of what opinion obtained in 1890 or in 1903, the decision of the Supreme Court finally has determined what the law is. There is no dispute about that now, and I would like to know whether the Congress of the United States will permit the organizations of labor to be so included, which have done so much to improve the condition of the American working men—and I have indicated only a few of the things they have done—that have done so much to take the children out of the factories and workshops and placed them in the school-

room, that have led and educated, and paid for the work of education, so that the question has pressed itself home upon legislators in States and the nation, that have done so much in helping the working men, that have done so much in building him up to make him a more law-abiding citizen, to bring him into the frame of mind of the recognition of his interdependence upon his fellow man, and still exercising the largest limit of individual sovereignty and character.

I will call your attention for a moment, if I may, to two significant facts; one is our splendid school system where we undertake to educate the children. The other fact is this: Where is the influence in all our country to educate the more than a million immigrants that come to our shores yearly? What influence is there, what associated effort is made, to bring some sense of realization of American citizenship and American dignity and American rights into the minds of these men who are brought here by every species of device, with all their ignorance and prejudices and antagonisms and their feelings of resentment against governmental authority? Where is the associated effort of our people which undertakes to impress upon the minds of these people, these foreigners, under such conditions, these things? Where is the association that undertakes to deal with them? Perhaps it is the Antiboycott Association represented by Mr. Davenport, or perhaps it may be the organization represented by him and his colleagues. Perhaps it is Mr. Van Cleave's association.

Mr. EMERY. I have the honor to represent that association. Emery is my name.

Mr. GOMPERS. Mr. Emery represents that association. Mr. Chairman, just bear in mind this: I think that there exists in no country on the face of the globe such a condition of stress and unemployment as now exists in the United States. I doubt that even our bitterest enemies will accuse the labor organizations of being responsible for that condition of affairs. Their financiers, captains of industry, dispute as to the cause of our present industrial situation, but there have not been any of them yet who have tried to lay it upon the shoulders of the working men of America. You could not duplicate the condition of affairs in any other country on the face of the globe which obtains here to-day, of self-restraint on the part of the American people, or, more properly speaking, the working people in America, in spite of this state of unemployment and suffering. Last Friday we read in the daily press the statement that in Philadelphia a band of 500 or 600 foreigners, incapable of speaking or understanding our language, marched on Broad street, and there engaged in a demonstration for bread or work. A pretty hard condition of affairs for anybody, when anybody in this great country of ours should be compelled to clamor for bread or work! But who are they? Not union men. Not union men, no. Just five or six hundred raw foreign workmen brought here, without the ability of understanding anything at which we aim or for which we strive. The labor organizations of this country have instilled into the minds of the working men character, a better conception of their rights, a better notion and knowledge of how to protect them or to secure them, of how to abolish a wrong or an injustice. Not only, though, have we educated the workmen in our views as to their rights, but also as to their duties and their obligations as men, as citizens of this Republic; and it is the organizations of labor which take hold as best they can

and mold the judgment, the feeling, the bitterness of the raw immigrant, into something of the form of a law-abiding citizen.

There is not in all our country a force so powerful to conserve the public peace as the organizations of labor. I grant you that here and there some mistake may be made. We are not all of us perfect. There is only one man on earth who is infallible. I do not think that any of you gentlemen will claim—I know that I will not claim—to be he. We are born with our imperfections upon our heads, and we are told so, and in our associations they are not entirely eliminated, no matter what the associations may be. No man can say truly that the organizations of labor make men worse than they are. The various associations with their fellows must have a civilizing influence. It has. I want to give you my assurance of not the mere utterance of a sentiment or a thought, but simply the deep-seated conviction, the result of some years of study and thought, on the history of the development of the human race from barbarism and slavery, and from serfdom to wage labor, that the organizations of labor are not going to be driven out of existence. By your indifference or by your failure to recognize the situation as it is, you may make it so that the men of labor, who are the real sufferers, will say to the men whom they have selected to counsel and advise them, to lead them, if you please, with counseling and advising and urging action along pure lines of American, Anglo-Saxon efforts at self-help and mutual help, and appealing to the conscience of the law-making bodies, that, after all, after every effort that they make, every advice that we have given them is declared to be illegal and unlawful, their organizations and membership and participation in the action of the organization render them not only liable for damages threefold to their claim, but liable to imprisonment for a year or a fine of \$5,000, or both; and, if the result of their heretofore lawful effort, or effort heretofore regarded as lawful, is now made unlawful, and you drive necessarily the conservative thought and the conservative qualities out of possible acceptance, do you think for a moment that the workmen of America are going to submit themselves to the greed, to the power, that concentrated wealth and industry gives? I think not.

I know that when we attempted to make some effort along political lines to secure even the election of one man or the defeat of another, we were lampooned as if we were committing some unholy act. The mere fact that we believed in and expressed a preference for one man over another at election, and exercised our rights as American citizens to appeal to our fellows that they might assist us at the polls in the advancement of the things for the interests that we feel to be ours and in jeopardy, met with this result. Well, if to take action at the polls is improper, if it is unjust and we ought not to do it, if the strike and the boycott are made unlawful and criminal, if the very agreements that we have with our employers, brought about peaceably, brought about by mutual consent and desire, are taken as proof of the success of our conspiracy and held against us, then, I ask you, what are the American workingmen to do? I leave it with you to think out its logical sequence. The matter is one of grave consequence and importance. I know of no one matter, and I know of no combination of circumstances to-day, that is so important to the welfare, the safety, the progress, the perpetuity of American in-

stitutions, as that which is involved in the rectification of the consequences of the decision rendered by the Supreme Court in the case of *Loewe v. The Hatters*; not only because of what is involved in that one case, but I commend to any man who has not yet read that decision, its careful perusal.

MR. LITTLEFIELD. Just a question. Before I call Mr. Gompers' attention to the record, I would like to ask Mr. Fuller when he first came here as a representative of the labor organizations.

MR. FULLER. Now, I would like to know the purpose of the controversy between Mr. Gompers and Mr. Littlefield. I am not backward about stating the facts.

MR. LITTLEFIELD. Have you any objection to stating what year you first came here? If you have, I will not ask you that.

MR. FULLER. No, sir; I have not.

MR. LITTLEFIELD. What year did you come here?

MR. FULLER. I do not think that is a question before the committee. I will tell you that any time you want to know.

MR. LITTLEFIELD. I ask you the question in the presence of the committee, and if you do not see fit to state it, all right, I will not press it.

MR. FULLER. I say it is not a question before the committee. I do not wish to dodge it, but I will tell you in private conference when I came here. And I will tell you, too, that I know something about the circumstances about which you are talking; but it is not a subject for this committee to discuss, and I do not propose to be drawn into it at this time, but I will meet you both.

MR. LITTLEFIELD. This I understand to be a confidential matter between Mr. Gompers, Mr. Fuller, and myself. I have nothing further to say about that. Of course if Mr. Fuller does not wish to answer the question, all right.

MR. GOMPERS. I am just reminded that I spoke of the bill of the Judiciary Committee of 1903, when as a matter of fact it should have been 1900.

THE CHAIRMAN. You can change the record in that respect.

MR. LITTLEFIELD. Calling your attention to the statement of Mr. Furuseth, in which he used the vigorous language which has been quoted and that you have referred to, I want to call your attention to this fact, that at a hearing before the committee in the Fifty-ninth Congress you appeared and made a statement shortly after he made a statement on the same day. The only intervening statement between his and yours is the statement of Mr. Emile Twyeffort, which appears on pages 31, 32, and 33, occupying about two full pages of the printed record, and which I presume took about fifteen or twenty minutes in its delivery. You then made your statement, and in the course of your statement these inquiries and answers appeared in reference to this statement of Mr. Furuseth, and I simply want to call your attention to this so that you can make any sort of explanation you see fit. I have no question to ask you about it. I read from page 34 of the record:

MR. LITTLEFIELD. Of course. But is the organization represented by Mr. Furuseth federated with your organization?

MR. GOMPERS. Yes, sir.

MR. LITTLEFIELD. They will oppose H. R. 9328?

MR. GOMPERS. Yes; and are in favor of the Little bill.

MR. LITTLEFIELD. I simply ask this as a general question. Do your organizations indorse the severe restrictions placed upon H. R. 9328 by Mr. Furuseth?

Mr. GOMPERS. We are opposed to the bill; whether in the exact language of Mr. Furuseth or not is not the question.

Mr. LITTLEFIELD. Yes.

Mr. GOMPERS. But we are apprehensive—yes, sir—of that bill, and we have great reasons for being apprehensive.

Mr. LITTLEFIELD. Mr. Furuseth had some very vigorous opinions. I did not know whether you entertained or shared with him in those.

Mr. GOMPERS. I share them very largely.

Mr. LITTLEFIELD. Yes.

Mr. GOMPERS. I only had the opportunity of casually hearing them, and hence I am not in a position to say whether every word in what Mr. Furuseth said meets my indorsement.

Mr. LITTLEFIELD. Oh, yes; of course not.

Mr. GOMPERS. But the essence of it meets my indorsement.

Mr. LITTLEFIELD. Very well.

That is the end of the examination.

Mr. GOMPERS. Yes. One or two of the questions and answers I want to repeat:

Mr. LITTLEFIELD. Mr. Furuseth had some very vigorous opinions. I did not know whether you entertained or shared with him in those.

Mr. GOMPERS. I share them very largely.

Mr. LITTLEFIELD. Yes.

Mr. GOMPERS. I only had the opportunity of casually hearing them, and hence I am not in a position to say whether every word in what Mr. Furuseth said meets my indorsement.

If I had heard the entire statement Mr. Furuseth made, including that closing paragraph to which attention was called, I would not have said, then, when questioned by you, Mr. Littlefield, "I only had the opportunity of casually hearing them," meaning the statements made by Furuseth. I stated this morning, as I stated in May a year and a half ago, that I did not hear that statement made. I was not in the room when the statement was made. I repeat that now. I was not in the room when that closing part of Mr. Furuseth's statement was read by him, and I did not know to what you referred, Mr. Littlefield, when you asked me the question. That was only disclosed to me months and months after, when it was brought into question.

Mr. LITTLEFIELD. But you will have to concede, then, that when I asked you the question and there was no suggestion that you did not know, I could not infer that you did not know, could I?

Mr. GOMPERS. You might, because I was not in the room.

Mr. LITTLEFIELD. But my inference was that you were in the room. I may be mistaken about that, but when I asked you about Mr. Furuseth's opinions, and you made no disclaimer that you had heard them, of course I could not but infer that you had heard them.

Mr. GOMPERS. I think that the paper must have taken possibly forty or forty-five minutes in its reading, and during that time I was out of the room not less than two or three times, and I was out of the room for fully five minutes before Mr. Furuseth concluded, because one of our friends, I think you will remember, was going away—

Mr. LITTLEFIELD. I can not undertake to remember definitely about that.

Mr. GOMPERS. This other gentlemen spoke after Mr. Furuseth closed, and he got away from this room so hurriedly that he could not even wait for a question I wanted to put to him; he had to get a train; and that is the reason that I did not hear it.

Mr. STERLING. I would just like to ask you a question, not particularly relating to that discussion. Have you any figures, estimated or

approximate, as to the number of wage-earners out of employment now as compared with six months ago?

MR. GOMPERS. I can give you this information. In the American Federationist for a number of years I have published from month to month a chart giving the state of unemployment for the month previous; but in order that you may be perfectly clear as to what weight to attach to that chart, I ought to explain that all of our organizations have not the machinery, the method, if you please, to ascertain exactly the state of employment or unemployment of their members, but there are about 8,000 or 10,000 organizations in the United States, numbering altogether perhaps 350,000 men, of widely divergent trades, which have a perfect method to know absolutely accurately the number of unemployed, and I have for years had from these organizations reports monthly, giving the number of unemployed during the month, and from these reports to my office I have made a chart with lines indicating the percentages of the unemployed, and then by a thinner, lighter mark, I have given the relative state of unemployment for the same month of the previous years. That is absolutely accurate, and it is not a question of figures lying, but it is absolutely accurate.

MR. LITTLEFIELD. What is the result?

MR. GOMPERS. I could not give it to you just at this time.

MR. LITTLEFIELD. You have not got it here?

MR. GOMPERS. I can show it to you in January and February.

MR. ALEXANDER. Can you make an approximate statement?

MR. GOMPERS. I do not want to make a statement in connection with this or anything else that I can not bear out, or on which I am not perfectly satisfied in my own mind that I am near right. No one can state. I simply say that these reports that come to my office are appalling as to the number of unemployed.

MR. LITTLEFIELD. You have not any table, then, that gives the accurate figures Mr. Sterling wanted? This memorandum here shows that of the 1,027 organizations there is an average of 2.3 per cent without employment, with an aggregate membership of 86,900. In the preceding month 1,649 unions, with a membership of 127,500, reported 1.4 per cent unemployed. That is as far as you can go?

MR. GOMPERS. That is as far as I can go. I will say that the figures are given to me in entire confidence—that is, in so far as they relate to any particular organization. You see that the names of organizations are not mentioned.

MR. DIEKEMA. This is only union labor? This does not include labor outside of the unions?

MR. GOMPERS. No, sir; this only means the membership of these organizations that make these reports, and I make the claim, which I think I can demonstrate to be a fact, that, as a rule, the efficient, the most skilled laborers are those who are in the organizations—men who are in the organizations—and it is safe to say—

MR. LITTLEFIELD. And they would be the last affected by the panic?

MR. GOMPERS. Yes; they would be able to find employment to a larger percentage than the nonunion men for several reasons, one because it is generally accepted under the understanding, like the oldtime Freemason, that it is necessary for the union man to be a competent workman, a master workman, a master mason. In the old times the journeyman was a man who was a member of a guild. The man who was not a competent artisan or mechanic was not admissible

to the guilds, and the privileges of the guilds and the question of unionism is largely upon the same basis.

Mr. LITTLEFIELD. Have you any information of a general character that would enable you to state approximately the number of laboring men, as a whole, that are now out of employment?

Mr. GOMPERS. No, sir; I can not tell. I have perhaps a little better opportunity for information than most men, but I do not think my information is of such a character as to warrant me in giving anything like approximate figures.

Mr. STERLING. I think some years ago you issued a statement with reference to that. I forget what campaign it was in, but it was used very generally as authoritative on that question. I did not know but what you kept something like a record of that.

Mr. GOMPERS. No matter what I stated, it was quoted in approval or in opposition by both parties in the campaign.

Mr. STERLING. I think it was accepted as authoritative in that campaign, and it came from some record.

Mr. GOMPERS. I have not anything at this time sufficiently authoritative to warrant me in making a definite statement. I think it would not be so difficult to get, and if it was really seriously needed I think I would try to get it; but the difficulty is that as soon as something of that sort is gotten out, an ulterior motive is attributed to the author, and I think we are going to be heard of in the next campaign, or this impending campaign. I do not think that you gentlemen are going to have it all your own way. I think you will hear from us, and perhaps you may again tell us that we have got Congressmen on the unfair list. I do not know that we ever had any unfair list in regard to any man in public life, even in the broadest or most contracted sense of that term. We did feel that we were wronged, specially wronged, by some; that we were treated with scant courtesy and with indifference by others; and whenever we were asked we simply told the plain, unvarnished truth, and never went out of our way to go into any district for the defeat of any man unless we were earnestly solicited to do that thing by quite a respectable number of the people of that district. Of course if we appeal to anybody for assistance it must be to our poor fellows who can contribute 5 cents or 10 cents or 2 cents or a half a cent a month of their wages, and from this half a cent a month the inference is drawn and the statement is made that we are living upon the sweat and the blood of the poor working man.

The CHAIRMAN. How long will it take you to conclude, Mr. Gompers? We are running contrary to the rules of the House in sitting any longer, and that is the reason I ask you.

Mr. GOMPERS. Of course, when the association of our opponents needs money, they can simply either levy upon their friends or call upon them or appeal to them, and get contributions.

I have a number of circulars with me that would make interesting reading for Congressmen, issued by the Antiboycott Association and others. You see that employers, business men, have sent us, and continue to send us, the originals of these circulars sent out by the American Antiboycott Association. They take the precaution to protect themselves, and we take the precaution to protect these employers of labor from the boycott of the Antiboycott Association, and therefore for their protection take out the names of the firms [exhibiting circulars]. I do not suppose that the attorney for the Antiboycott Associ-

ation would dispute the authenticity of these [handing paper to Mr. Davenport].

Mr. DAVENPORT. I recognize the signature, and I guess it is genuine.

Mr. GOMPERS. I think no man has a right to be called upon to incriminate himself, and if he guesses it is all right, that is enough.

Mr. DAVENPORT. It is under my signature; I think that is an authentic document.

Mr. GOMPERS. I think it would not be amiss if one of these at least were left with the committee when I can get time to prepare this matter to which reference has already been made.

The CHAIRMAN. Very well.

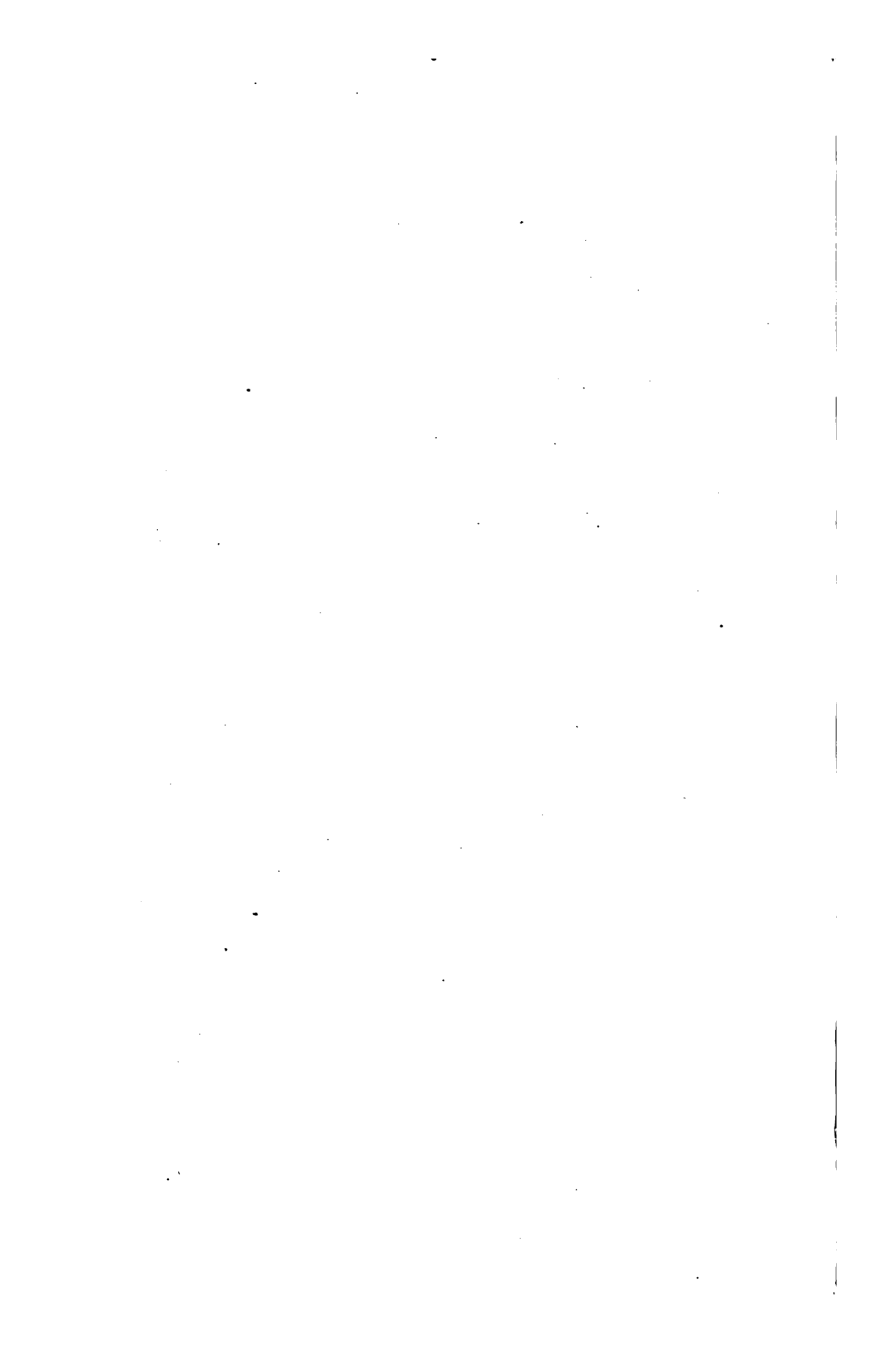
Mr. GOMPERS. I will ask you gentlemen of the committee to consider, and I trust favorably, the general views which I have expressed as a relief from a very decidedly unpleasant and improper situation in which the workmen of this country are placed.

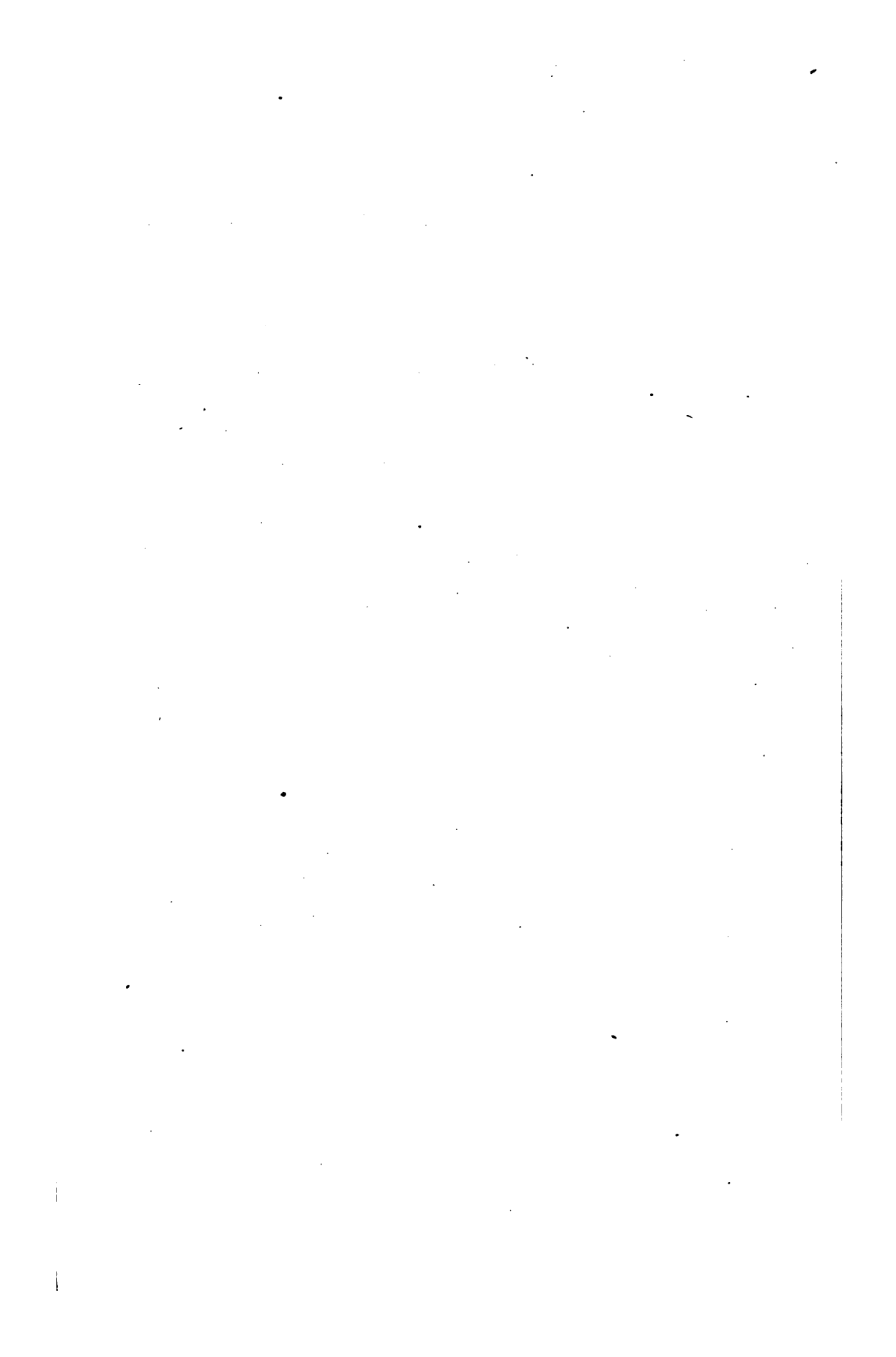
The CHAIRMAN. The committee will stand adjourned.

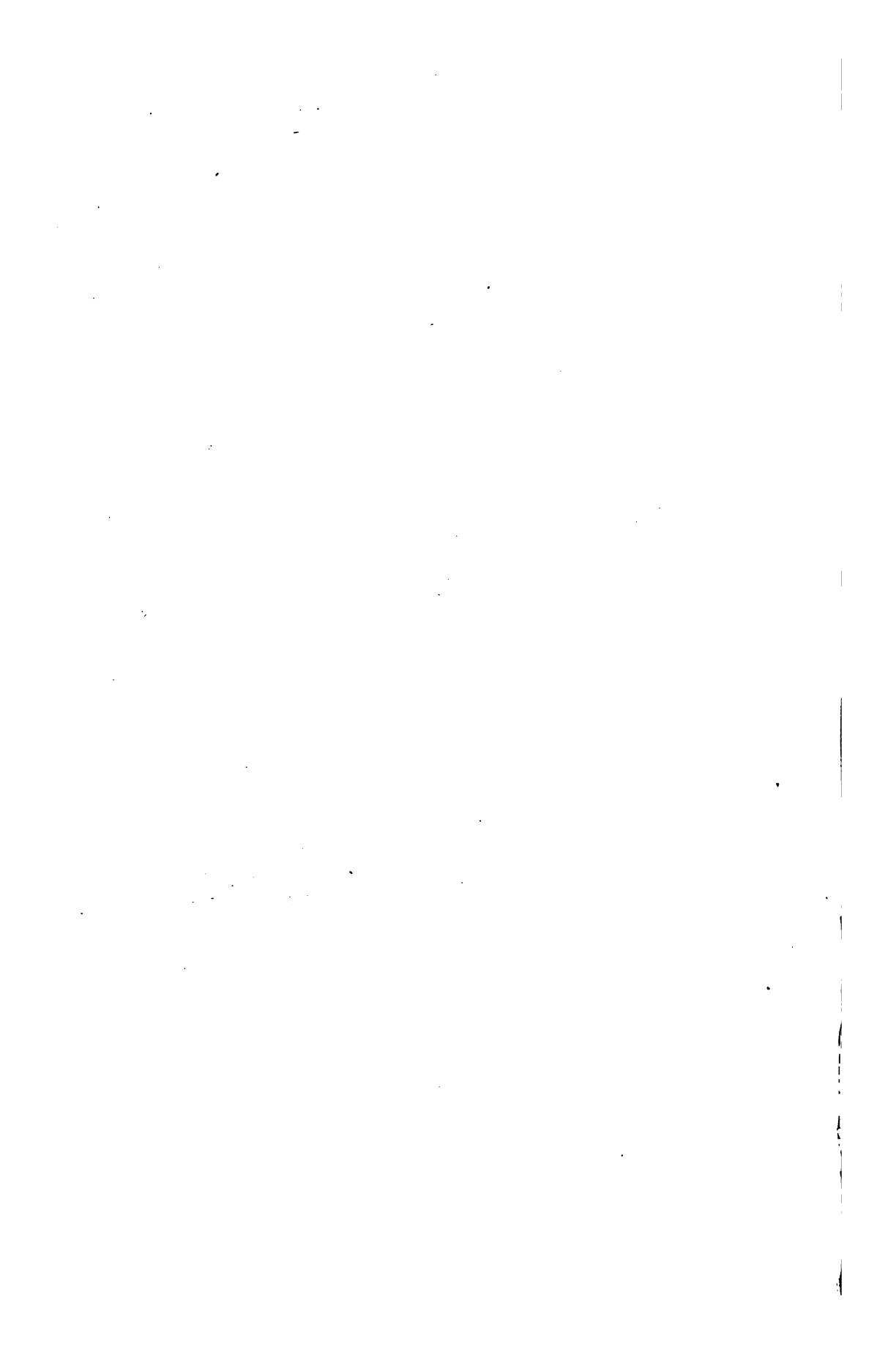
At 12.15 o'clock p. m. the committee adjourned.

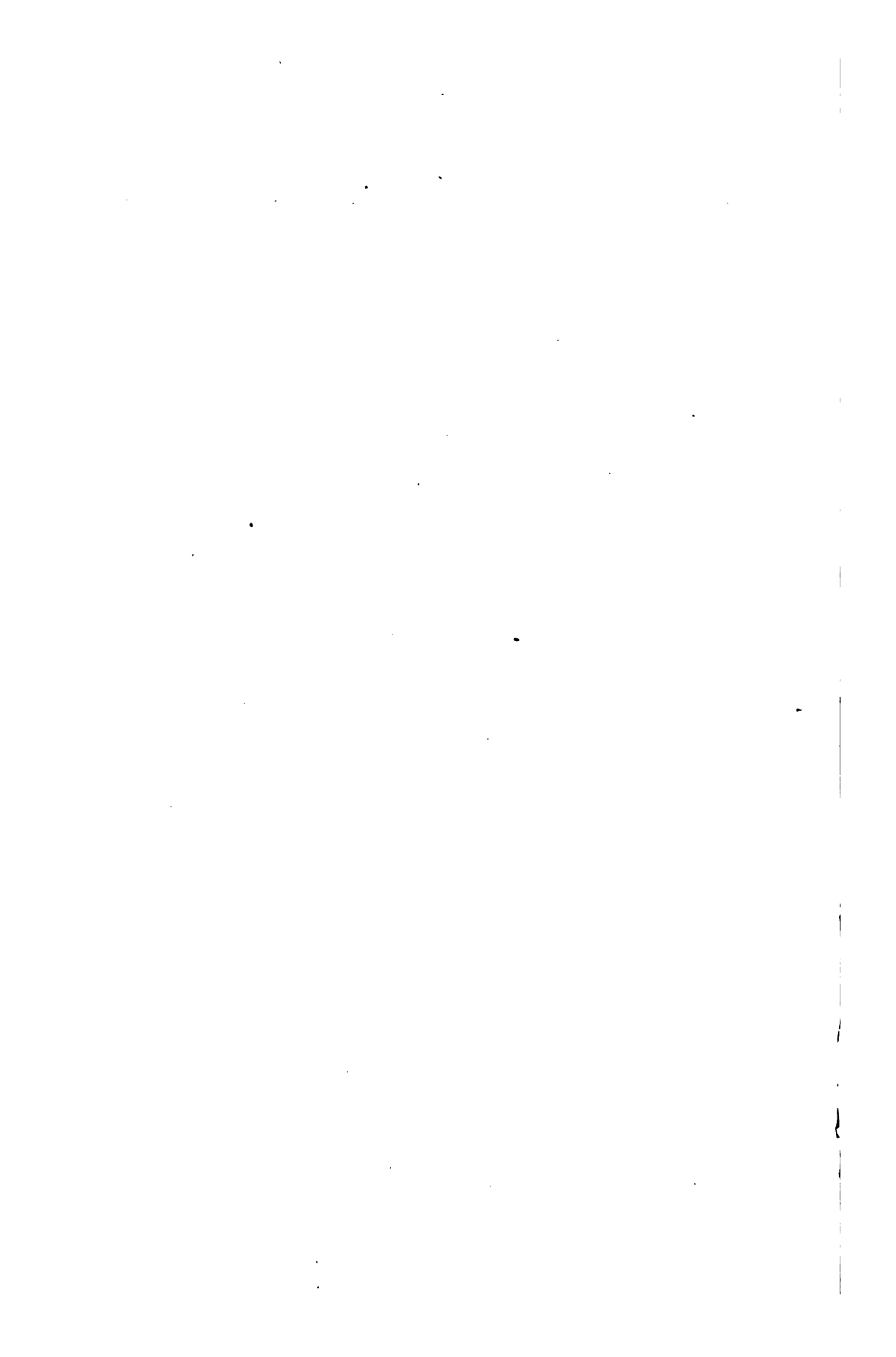
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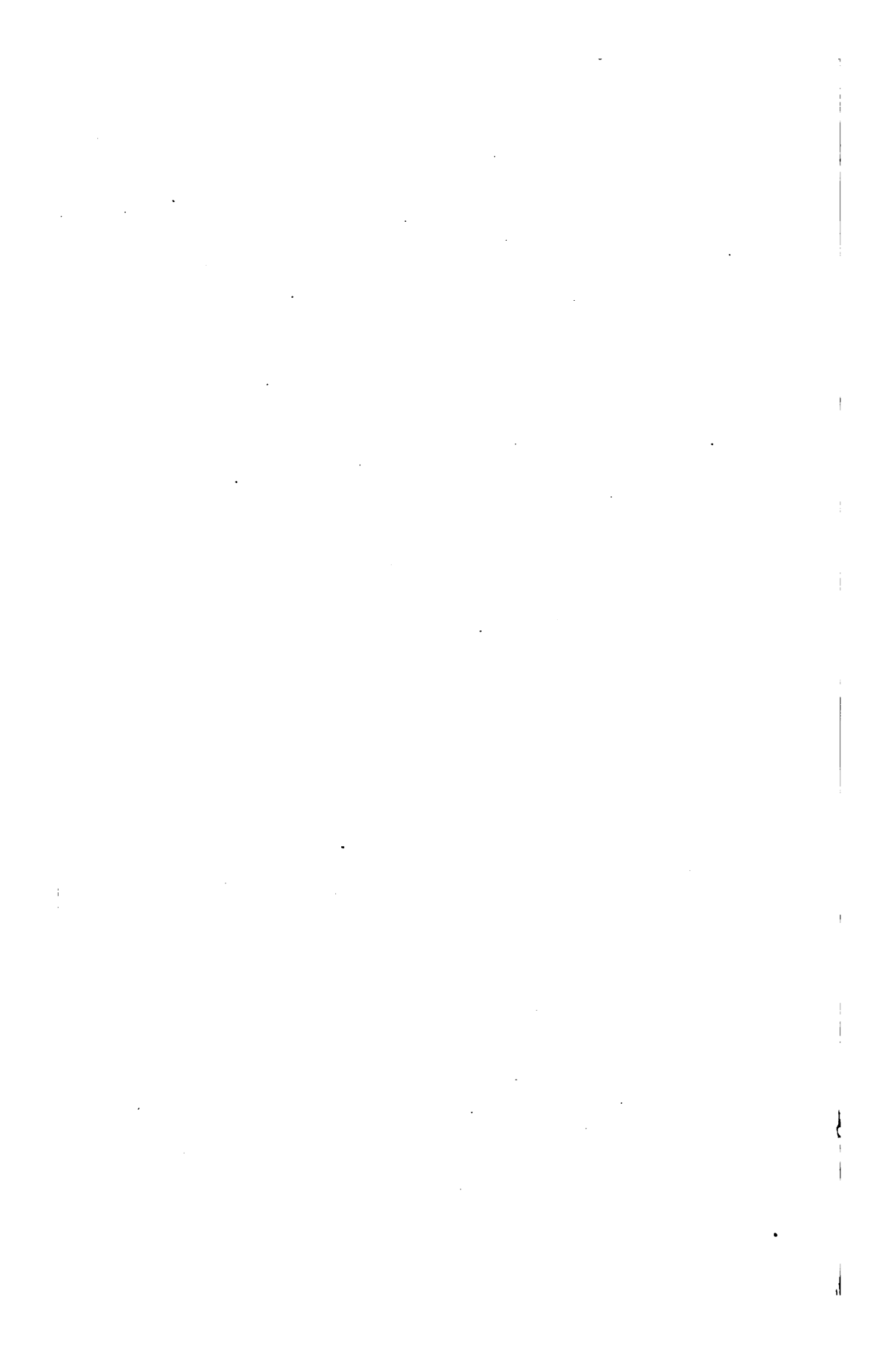






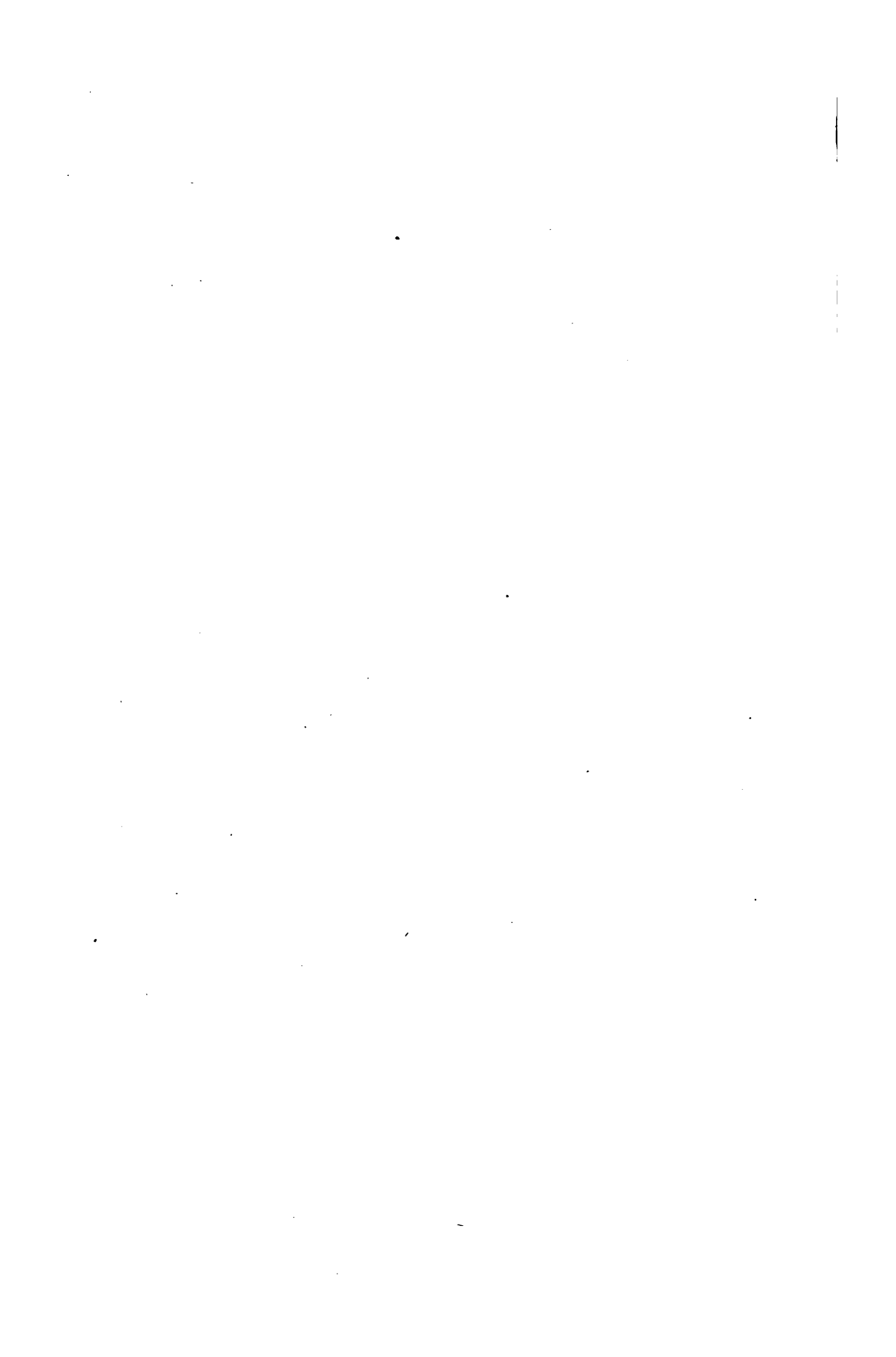








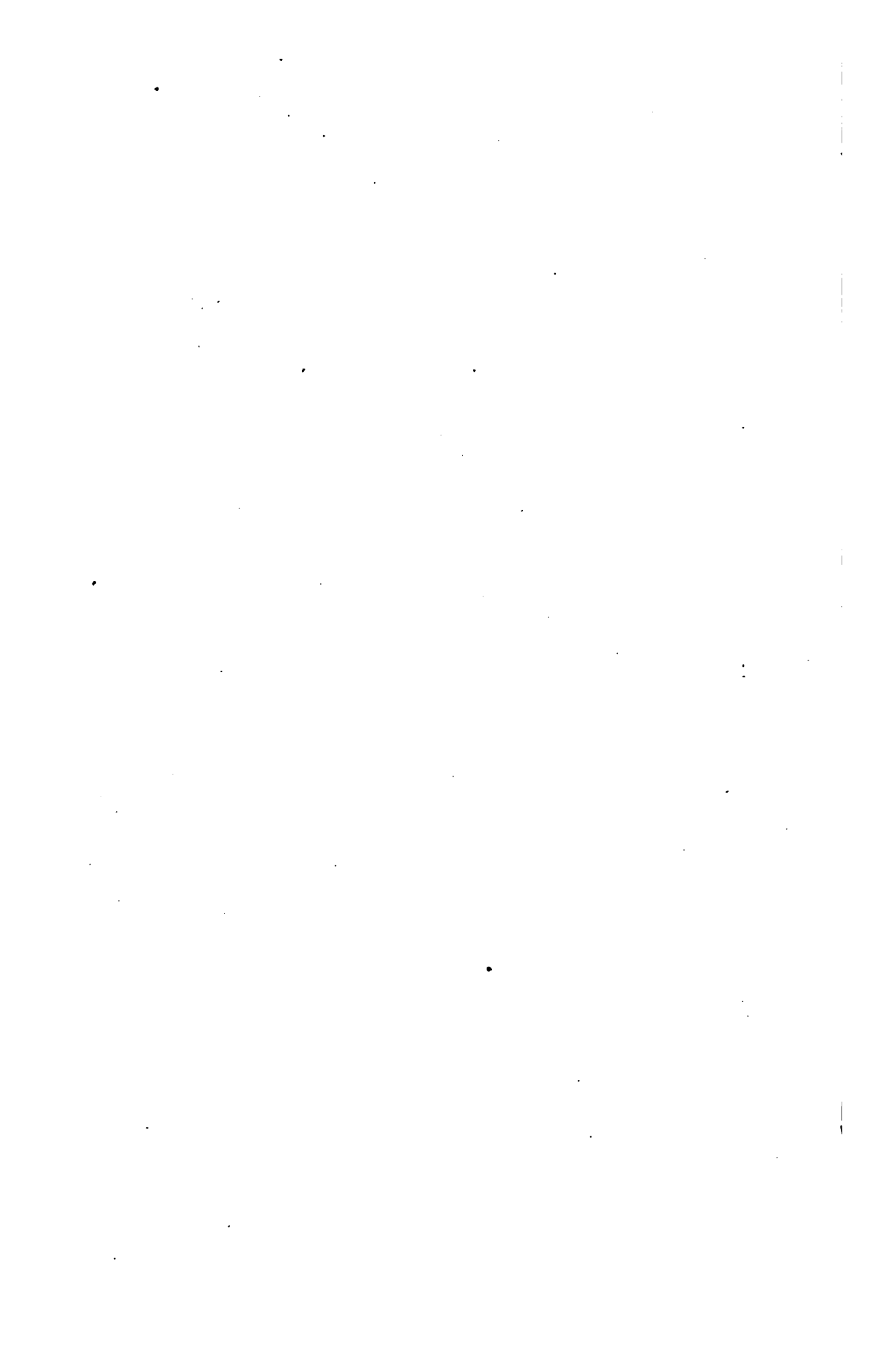


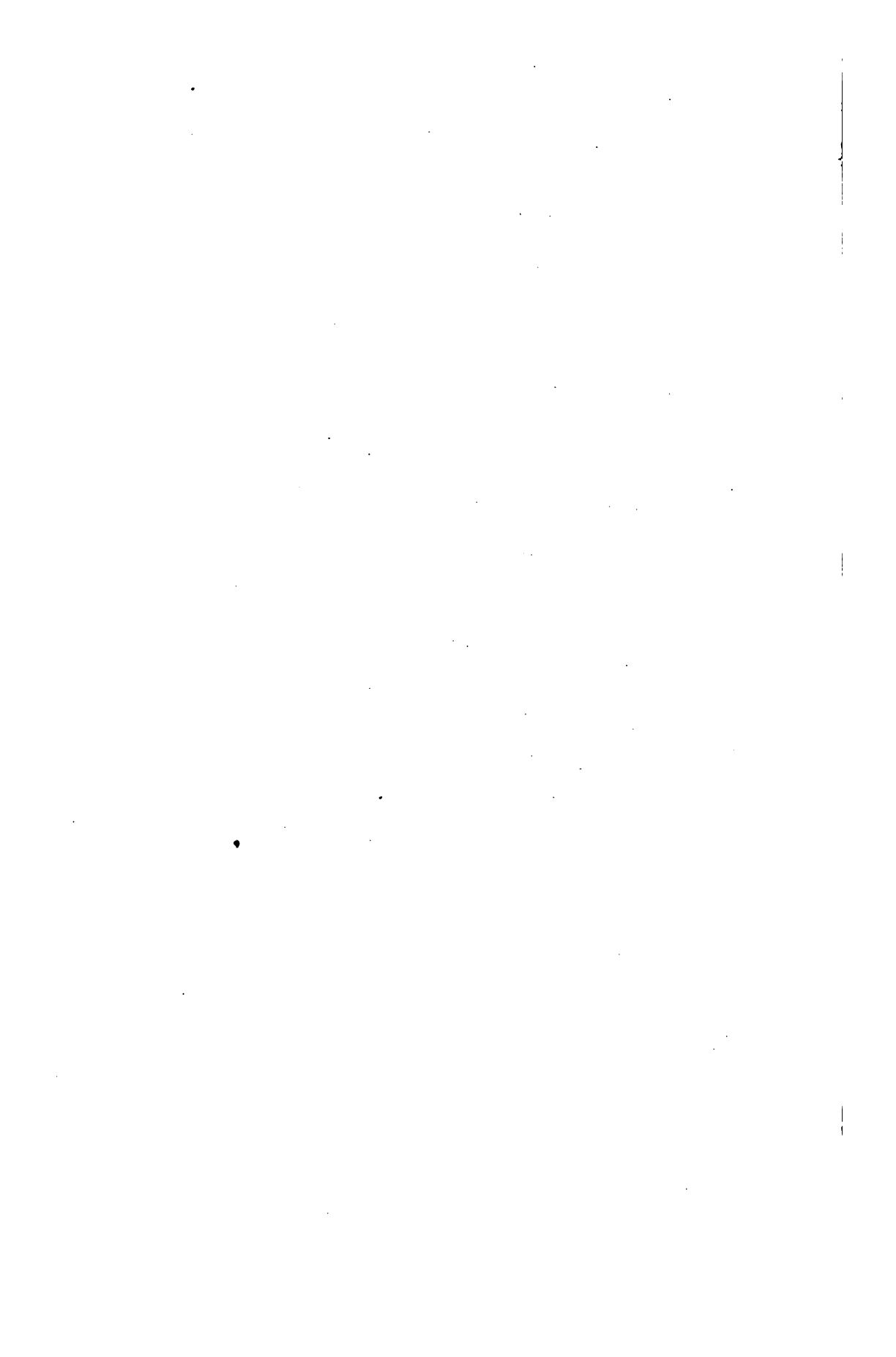


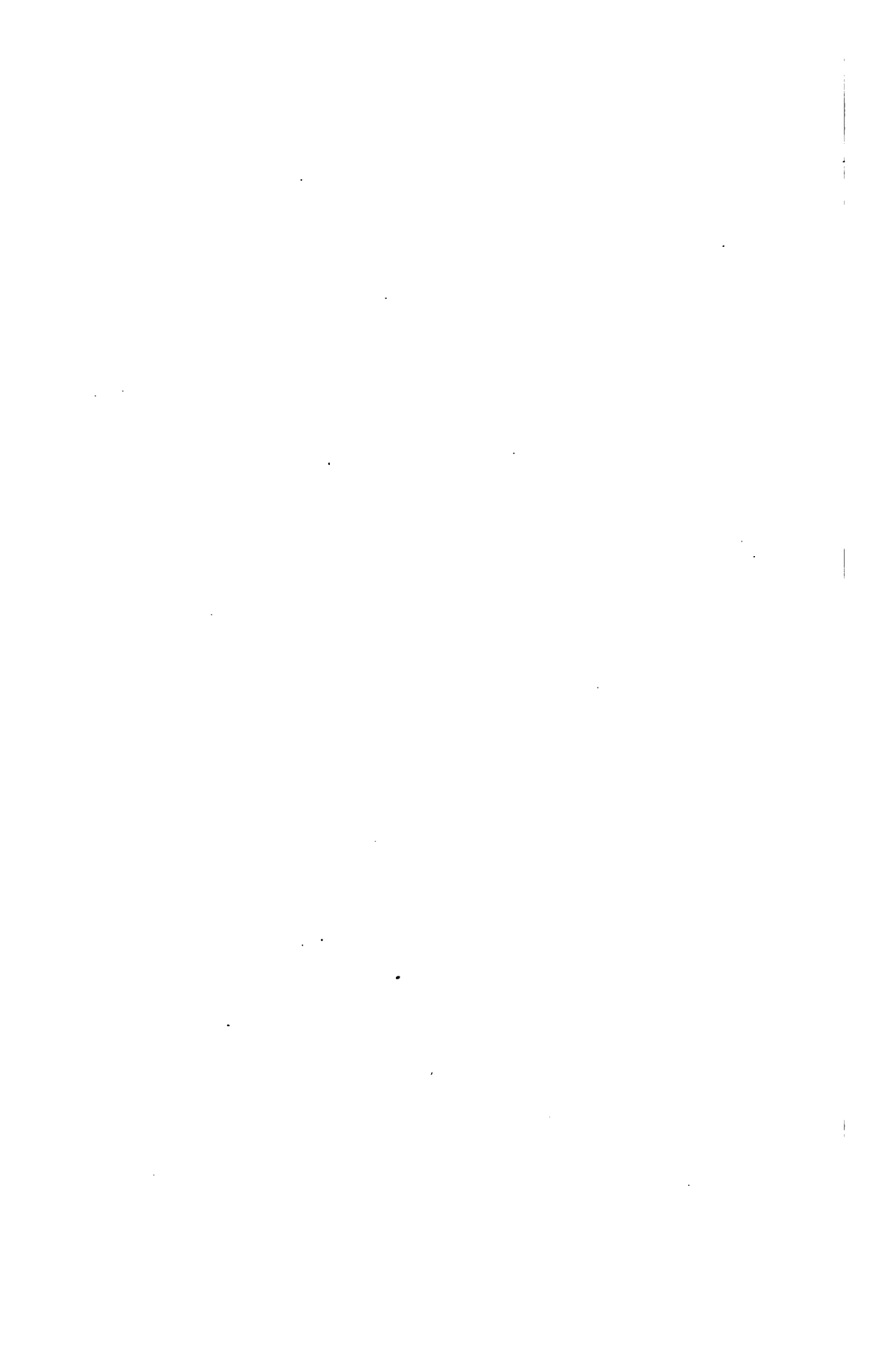




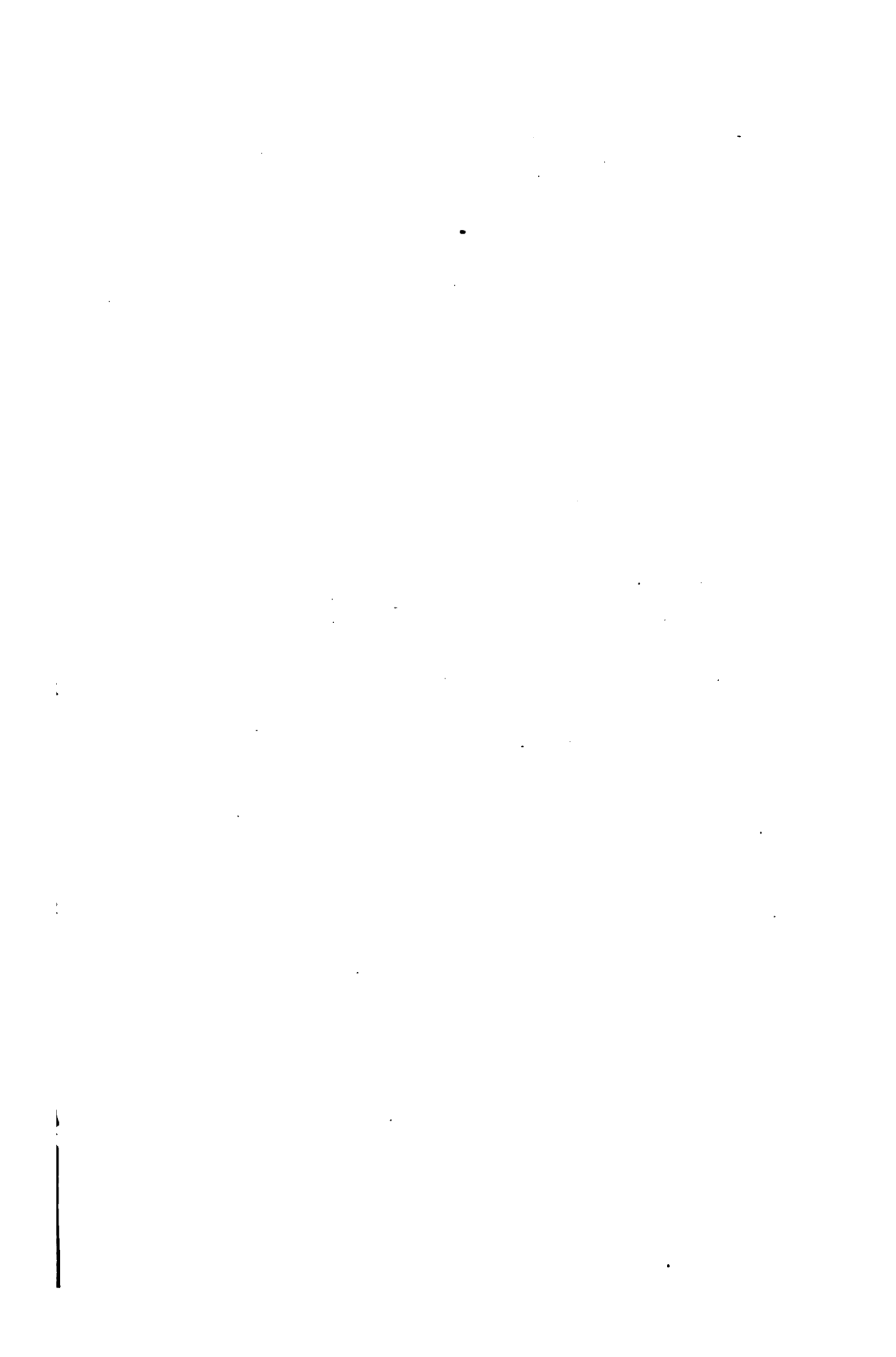






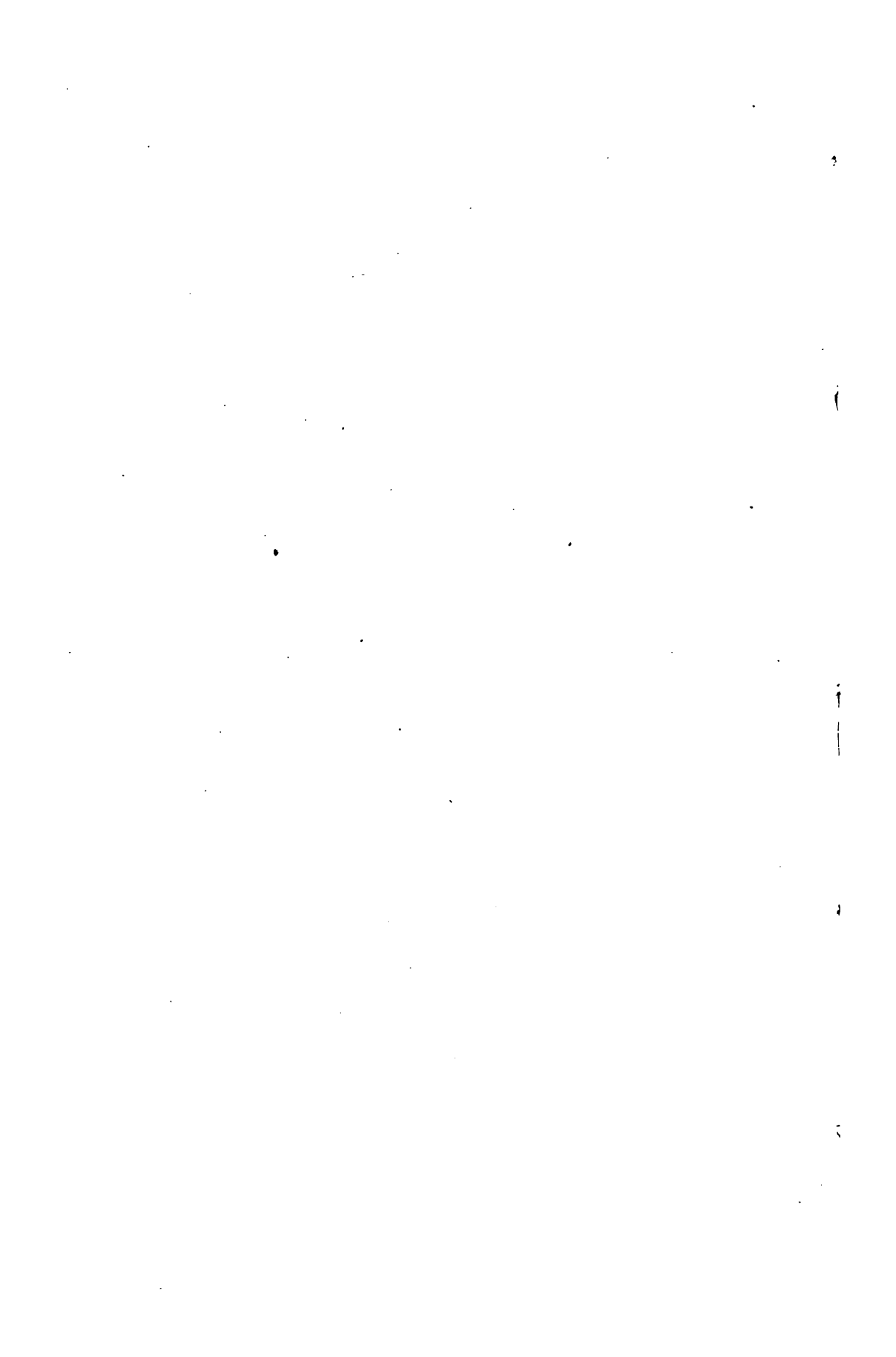


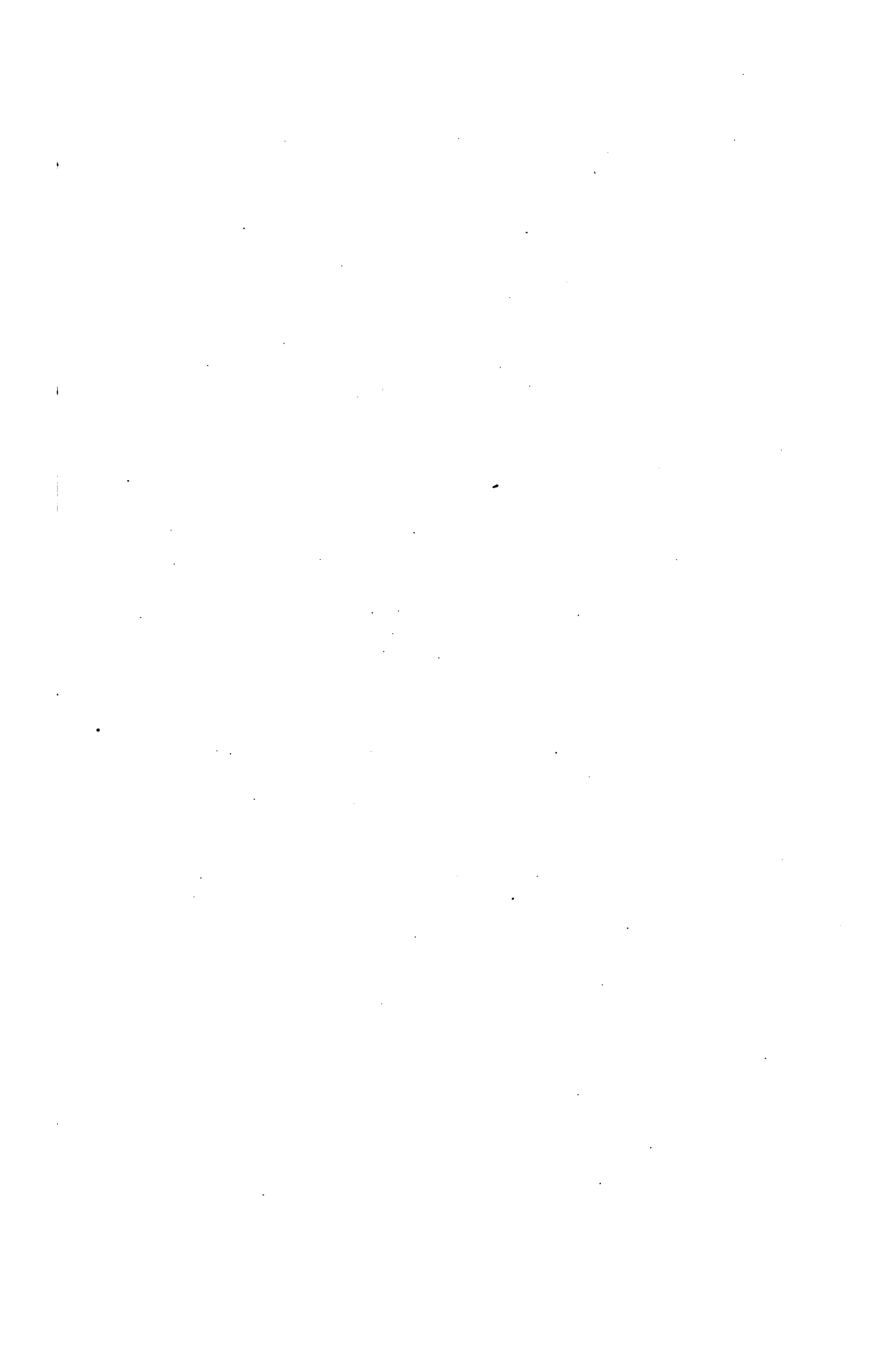














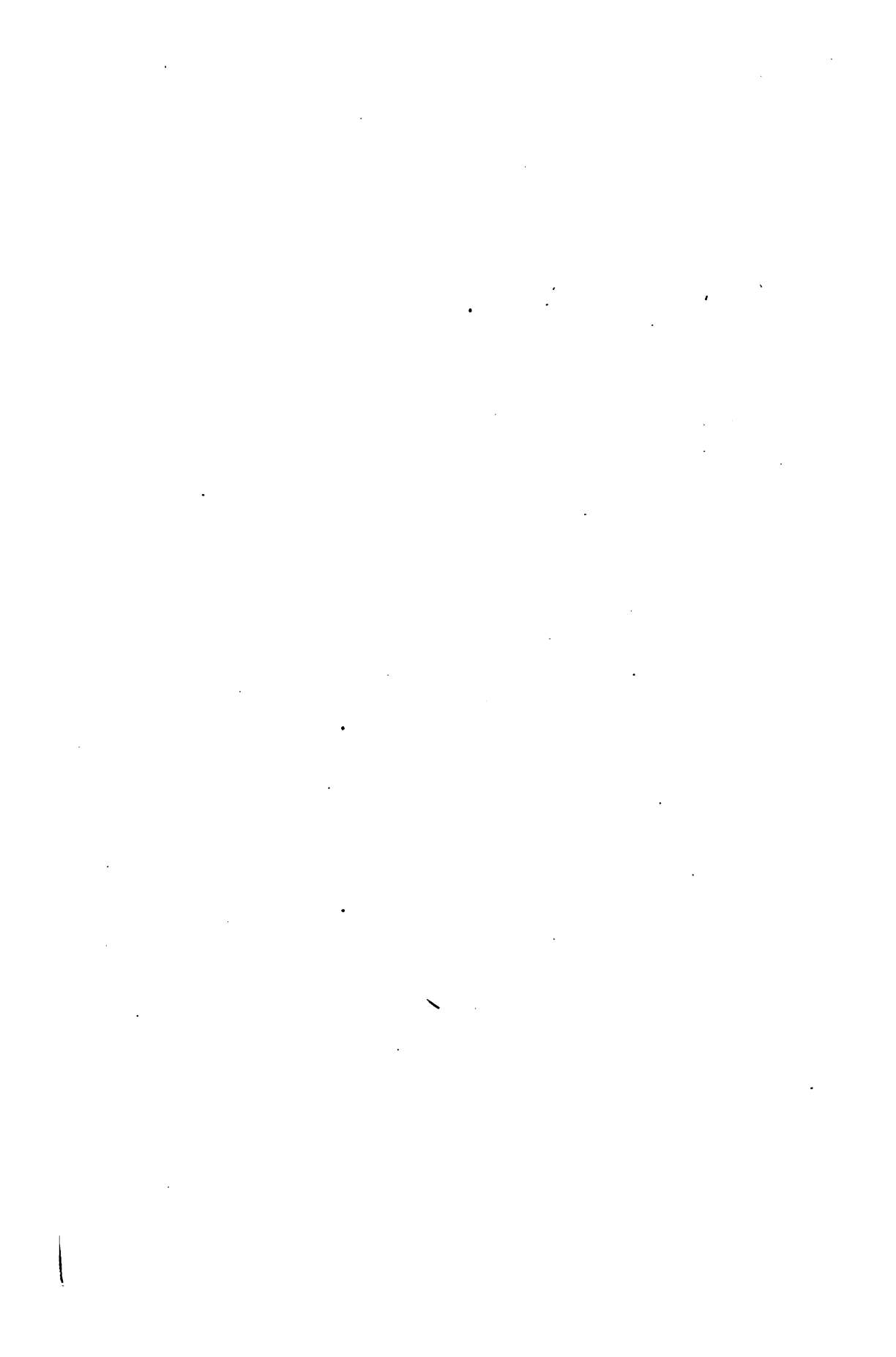








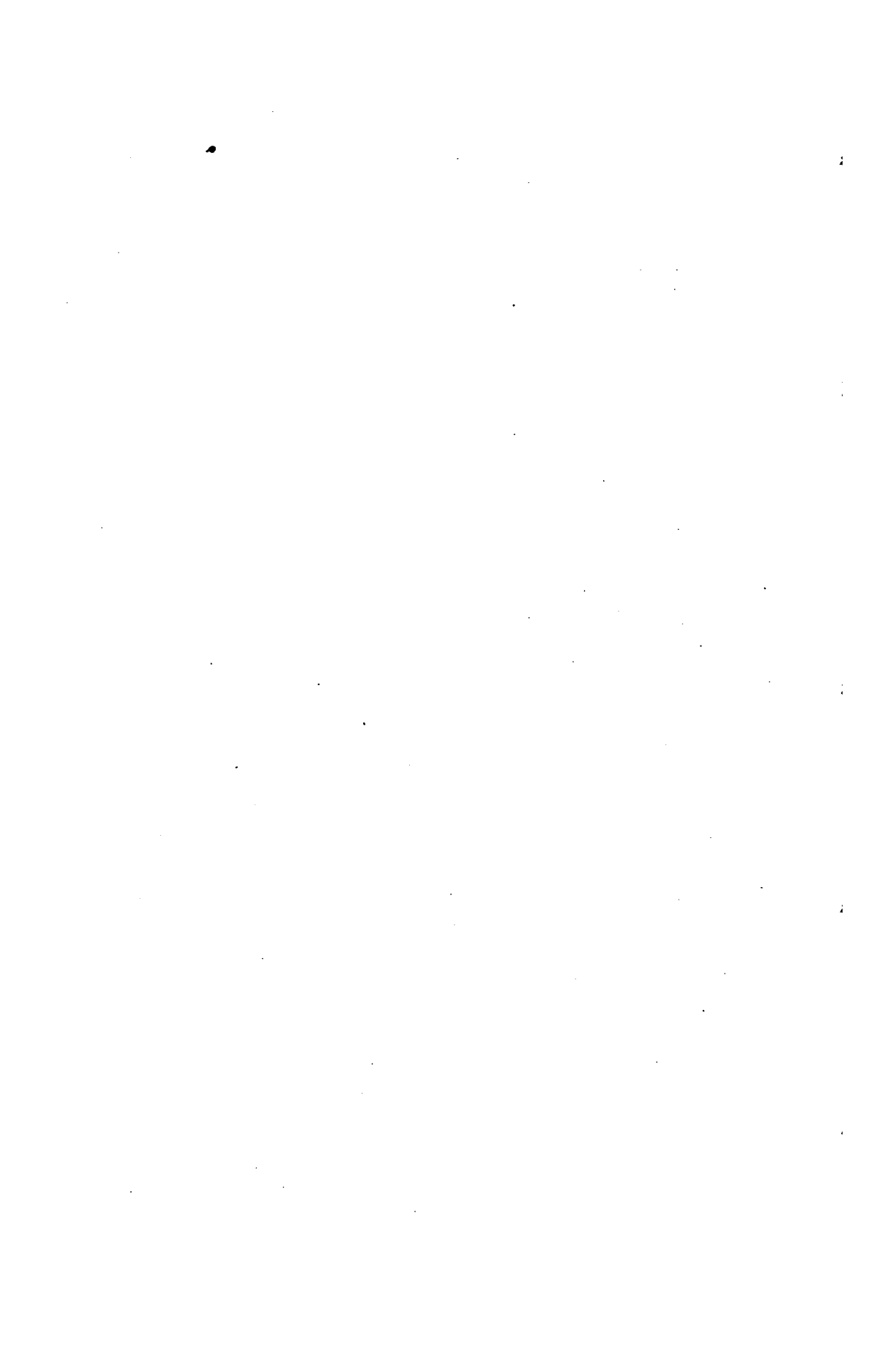


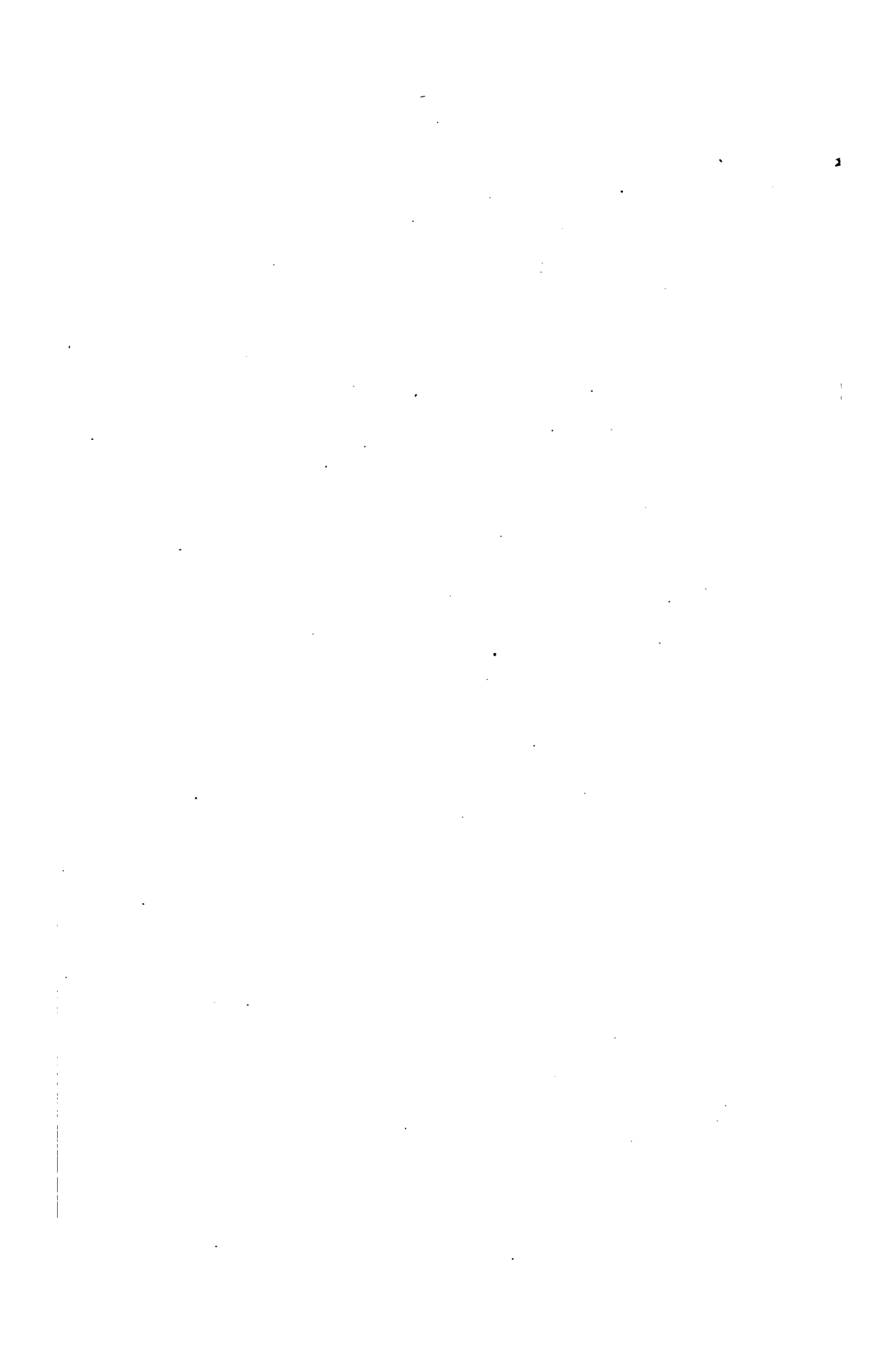




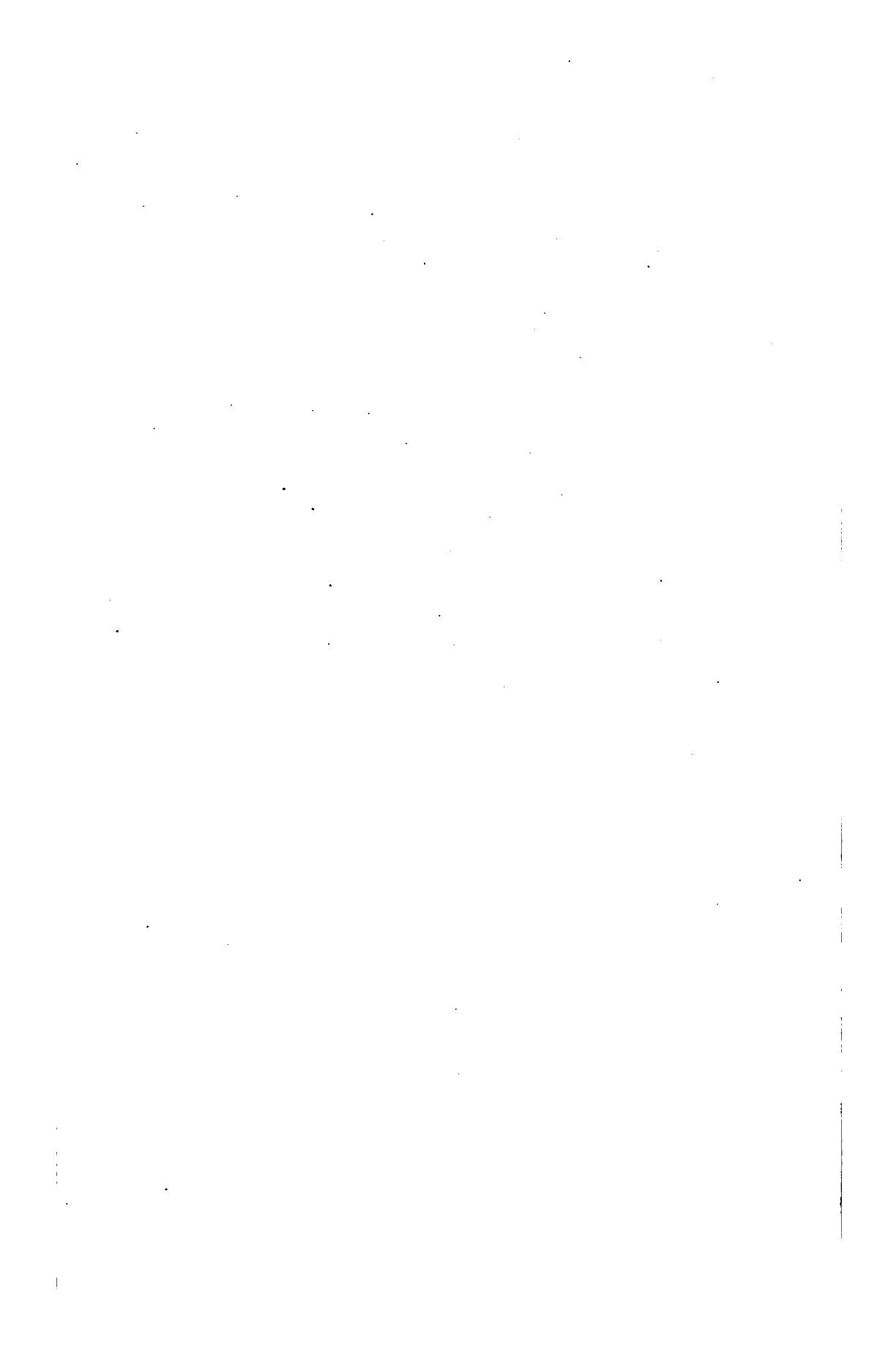






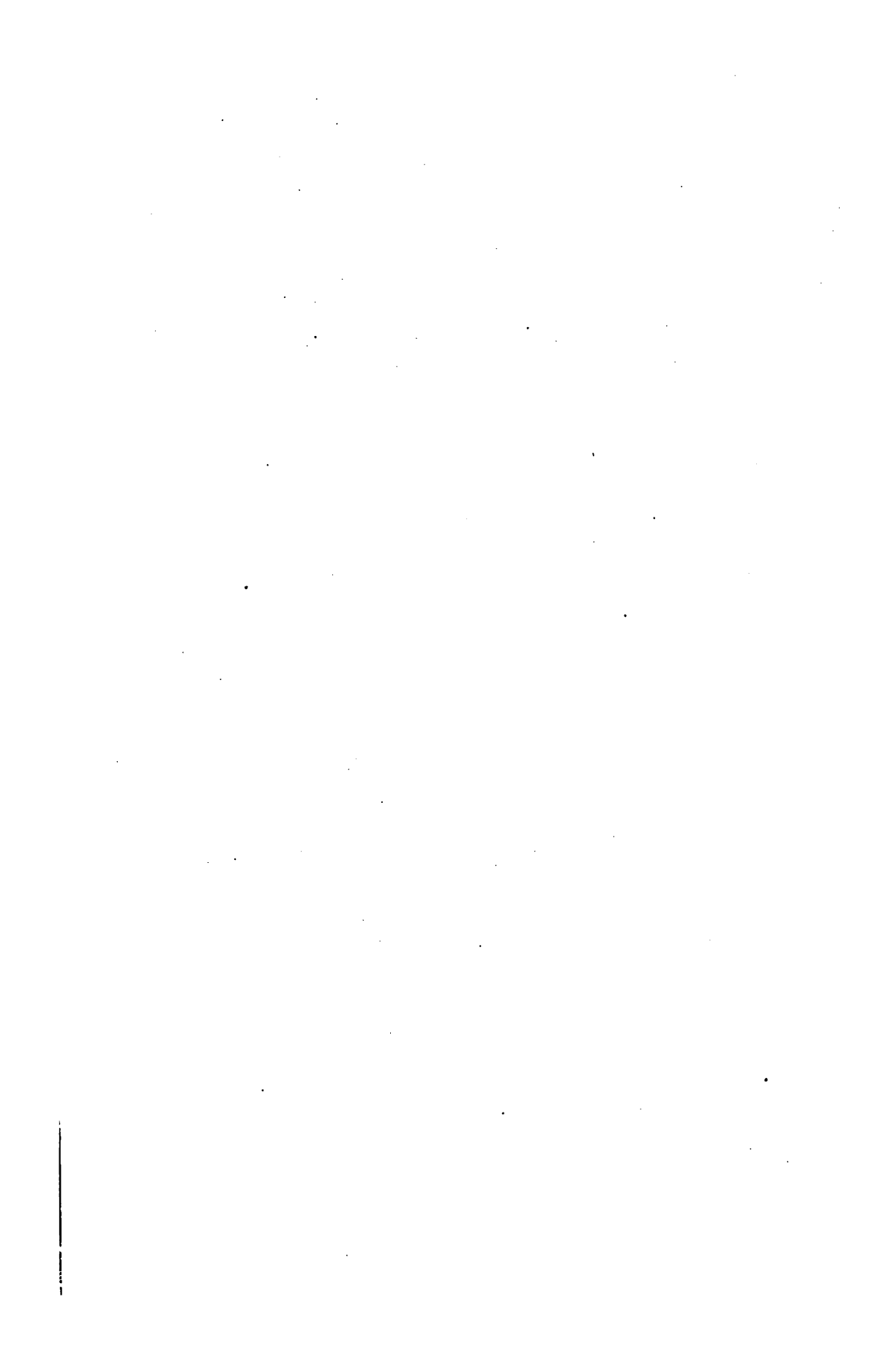




















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